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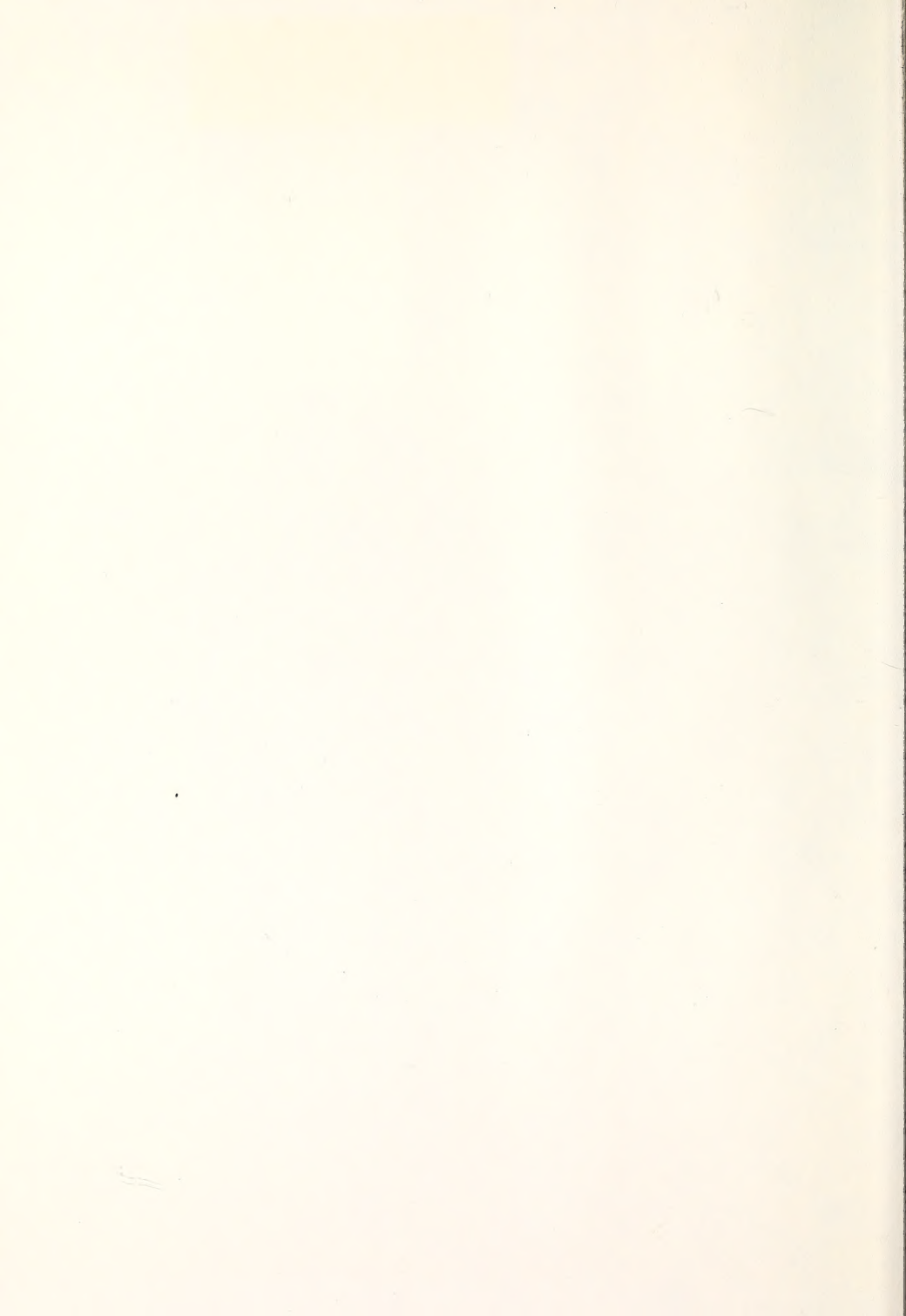
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ANNALS OF IOWA

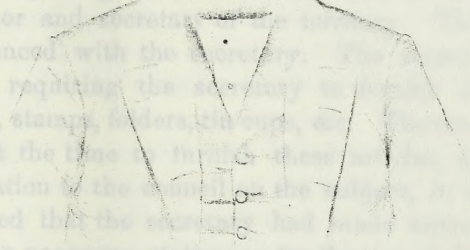
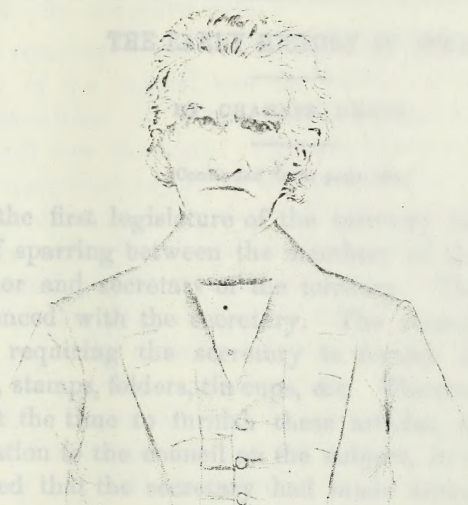
ANNALS OF IOWA

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1870

Robert H. Phelps

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At the first legislature of the Territory, the governor and senators commenced with the session right up the knives, stumps, rollers, and side at the time of the inauguration of the territory. It was informed that the state had secured the necessary stationery for the legislature of Cincinnati, but the things ordered had not been received. His communication said, "The war of the state was directly suspended. It is pronounced that it is our duty to the people of this providence, and the unfathomable designs." The governor had been to the "perils," that "most every" knives in the region.

ANNALS OF IOWA.

VOL. VIII. IOWA CITY, JANUARY, 1870.

No. 1.

THE EARLY HISTORY OF IOWA.

BY CHARLES NEGUS.

(Continued from page 326.)

At the first legislature of the territory there was a great deal of sparring between the members of that body, and the governor and secretary of the territory. This difficulty first commenced with the secretary. The council passed a resolution requiring the secretary to furnish their body with knives, stamps, folders, tin cups, &c. The secretary not being able at the time to furnish these articles, addressed a communication to the council on the subject, in which they were informed that the secretary had made arrangements to procure the necessary stationery for the use of the legislature, in Cincinnati, but owing to the low stage of water in the Ohio, the things ordered had not been received. The secretary in his communication said, "The navigation of the Ohio was entirely suspended; this was the act of God, whose holy name is pronounced with deep reverence, and to whose holy will it is our duty to submit. Human power cannot resist the dispensation of His providence, nor can human wisdom counteract His unfathomable designs." The secretary informed the council that he had been to St. Louis, "and returned in spite of every peril;" that "much exertion had been made to procure knives in Burlington, but," said he, "knives of suitable finish

and quality could not be procured in town, nor can sufficient knives of any quality be obtained; and the secretary cannot make knives—if he could, he would do so with expedition and pleasure;” that “it was the earnest and anxious wish of the secretary, that all the members should have knives, and stamps, and folders, and all and singular such thing or things, device or devices whatever, as may facilitate the operation of the hands in yielding assistance to the deliberations of the heads;” that in relation to “that part of the resolution which related to extra inkstands and tin patty-pans, can, and shall be promptly complied with.”

This communication of the secretary greatly insulted the dignity of the council, and the matter was referred to a special committee, of whom Stephen Hempstead (afterwards governor) was chairman. The committee after due deliberations, made their report, in which they set forth that the secretary’s communication was “of such a nature as to call forth a severe animadversion upon its tone and spirit;” that “the evident intent of that communication was not only to treat the resolution adopted by the council, with irony and contempt, but at the same time to convey the idea that the articles asked for by the resolution were unnecessary and unimportant.” The report went on to show that the house in which they held deliberations, was not properly furnished; that the secretary had used his influence to prevent the council from obtaining things without his sanction, and “that the honorable secretary of the territory might rest assured that the present legislature will not tamely submit to the insults and derisions of any officer of the territory, and they at all times will defend to the last their honest rights, and the liberty of the people, whom they have the honor to represent.”

This report of the committee was unanimously adopted.

The controversy about knives, &c., though fiercely commenced, did not last long. The secretary, through the intervention of Judge Wilson, apologized to the council and withdrew the objectionable paper, and the council let the insult to their dignity pass without further notice.

But this matter had hardly been adjusted before another difficulty arose implicating the governor with the secretary. The legislature passed a joint resolution "that the secretary of the council and chief clerk of the house, should receive six dollars per day for their services in this assembly, and each of the additional clerks, sergeant-at-arms, door keepers, messengers and firemen, should receive three dollars per day, to be paid by the secretary of the territory, upon the presentation of a certificate of their services, signed by the presiding officer of the house in which they served, and countersigned by the secretary or clerk. The secretary, doubting whether this would be a sufficient authority for him to pay out money, referred the matter to the governor, and the governor gave him his opinion in writing, in which he took the ground that the secretary ought not to disburse the public moneys, under that authority. And the secretary being sustained in his views as to the disbursing of the public moneys, by the written opinion of the governor, sent to the legislature a communication informing that body that he did not feel authorized to pay out money under such authority, and to sustain his views sent with the communication the written opinion of the Governor.

This counseling of the governor was considered by most of the members of the legislature, as interfering with their prerogative, and a matter of so great importance that there was a joint convention of the two houses held, to devise ways and means by which to protect their rights against the supposed encroachments of the governor. This convention passed resolutions expressive of what they considered to be the rights of the legislature, and in their discussions many of the members severely animadverted upon the part which the governor had taken in this matter.

The attacks made upon the governor at the fore part of the session probably caused him to be a little prejudiced in his feelings towards the members, and less disposed to yield his opinion of what he conceived to be right, to the wishes of that body, than he would have been had there been no misunder-

standing between them. And from the time of this joint convention, instead of reconciling the strife which had been engendered between his excellency and the legislature, the quarrel became sharper, and more bitter, until the adjournment.

Governor Lucas being an old man, and having occupied the gubernatorial chair in Ohio, thought himself better versed in making laws, and what was for the best interests of the territory, than most of the members of the legislature, who were young men and inexperienced as legislators, and all laws which they passed that did not entirely meet with his approbation, he vetoed. And by the provisions of the organic act of the territory, it was necessary that the governor should approve of all bills passed by the legislature, before they could become laws, so that his veto was absolute, and no act of that body could become a law without his consent. For the purpose of harmonizing differences, there was a joint committee appointed by both branches of the legislature to consult with the governor and prepare a bill to regulate the intercourse between the legislative and executive parties of the territorial government. After a consultation with his excellency, a bill was prepared by the committee, with such restrictions and provisions as met with his approbation; but when it was brought before the legislature there were some very material alterations made in the bill, which were very obnoxious to the governor, and when it was presented to him for his approval, he refused to sign it, and returned it to the house in which it originated; and in his veto message he laid down the rules by which he would be governed in relation to acts presented to him for his approval.

He informed the legislature that all bills submitted to him would be carefully examined, and, if approved, would be deposited in the secretary's office; but he said if "special objections are found, but not sufficient to induce me to withhold my assent from the bill, a special note will be endorsed with my approval. Bills that may be considered entirely objectionable, or of doubtful policy, will be returned to the legislative

assembly with my objections, at such times and in such manner as I may from time to time deem most advisable."

This veto message fanned the flame of strife already kindled, and many of the members became very bitter towards his excellency.

Among the many acts vetoed by the governor, was an act requiring him, when a bill was presented to him for his approval, to inform the legislature of his approval thereof, or if he did not approve of it, to return the bill with his objections; an act authorizing the postmaster at Davenport to have the mail carried from that place to Dubuque twice a week in two-horse post coaches; a joint resolution making the secretary of the territory a fiscal agent of the legislature, authorizing him to pay out money without an appropriation, to the members and officers of the legislature.

The feelings of the members were so bitter towards the governor because he kept them in check by his vetoes, that there was a special committee appointed in the house, on vetoes, of which James W. Grimes (afterwards governor and U. S. senator) was the chairman. The organic act provided that the governor "shall approve of all laws passed by the legislative assembly, before they shall take effect." On this provision of the law the committee made a lengthy report, in which they took the ground that the words "shall approve all laws" meant that it was his imperative duty under the organic law, to approve of all acts passed by the legislature of the territory, and that the mere fact of the governor vetoing them, or withholding his approval, did not prevent the acts of the legislature from becoming laws, but was a neglect of duty on the part of the governor.

And this report of the committee was concurred in by the House by a vote of sixteen to six—Bailey, Beeder, Brierly, Coop, Frierson and Paterson, voting against it.

These acts, and the abuse of the legislature, did not intimidate the governor in the discharge of his duties, being actuated with a desire to do what he supposed was right, and let those of the future judge of the wisdom of his course.

When the members of the legislature found they could not control the governor by resolutions, reports of committees, and abusive speeches, their next move was to remove him from office.

Bankson introduced a resolution in the house, in which was set forth that whereas it was known to the legislature "that Governor Lucas had been writing notes and explanations on sundry laws adopted by the legislature," and also setting forth that these acts of his were "an unwarrantable encroachment upon the judicial department of the territorial government, as well as an insult and rude invasion of the rights of the legislature,"

"Therefore, resolved, that Robert Lucas is unfit to be the ruler of a free people, and that a select committee be appointed to prepare a report and memorial to the president

* * * * praying in strong terms for his immediate removal from office."

This resolution was adopted by a vote of twelve to ten, and Bankson, Hall, Summers, Taylor and Nowlin, were appointed the committee. The committee, after due deliberation, made their report requesting the president for various reasons* to remove the governor from his office.

*This report set forth, "That he has refused to place his signature to laws the most salutary and essential to the public good, without even designing to make known to your memorialists his objections thereto.

That he has withheld others of equal importance, without giving your memorialists to understand what, or whether any executive action has taken place in regard to them, and that, too, as your memorialists believe, with a view to subject their entire action to his will.

That he has virtually declared himself paramount to your memorialists the representatives of the people, by expressly avowing in official communications to your memorialists, that independent of his excellency they have no power.

That he has usurped the judicial authority by assuming to dictate, in notes appended to his approval of many laws, the construction which should be given to such laws.

He has refused officially, in a coarse and uncourteous manner, to inform the legislative assembly what laws had received his sanction.

He has refused to consider recommendations of appointments for office, from members from the district, or county, in which the applicants reside, and indirectly avowed his determination not to regard such recommendations.

He has refused to converse with, or speak to members of the legislative assembly when waiting on his excellency in relation to public business with which they were charged by the body to which they belonged.

He has from the commencement of the session of the legislative assembly, on various occasions, and to all manner of persons, anticipated the actions of the executive depart-

There was a majority in both branches of the legislature who were opposed to the governor, and the memorial was adopted and forwarded to the president.

In these proceedings the governor was not without some friends who strongly opposed the adoption of the report of the committee, and they claimed the privilege "to forward a counter memorial to the president on the same subject, and to spread their protest on the journal of the house;" but their request was refused, when eight of the members of the house, in their private capacity, got up a protest in which they reviewed the memorial, and denied or explained most of the charges preferred against the governor, so that from the protest, or some other cause, President Van Buren did not see proper to remove the governor from his office, and he held it till there was a change in the administration of the federal government.

The difficulties which had arisen between Governor Lucas and the legislature, from his too frequent use of the veto power, and the complaints made by the latter, induced Congress to make some amendments to the law organizing the territory; and on the third of March, 1839, they passed two

ment in regard to public measures, before they were regularly or officially before him and that, too, in a manner indicative of a design to make the legislative assembly subservient to his will, regardless of their own conviction of duty, and their responsibility to their constituents. And those declarations have been made in many instances to strangers, and visitors to our territory, who have no interest in common with us.

While he has been officiously scrupulous in relation to disbursements of money for the payment of the usual expenses of the legislative assembly, he at the same time sent his own bills to the secretary for payment, without the authority of law.

He has declared to members of the legislative assembly his determination to veto all laws for which he would not vote as a member of the assembly, thereby placing his isolated opinion in opposition to that of the representatives of the people, as well in matters of mere expediency, as principle.

He has appointed and nominated to office, persons from abroad, who were neither domiciled among, nor had they any interest in common with the people of Iowa, and some of the persons thus nominated or appointed, were connected with his excellency by intimate ties.

He has manifested such a total want of ability, not only to govern in time of peace but more especially to command in time of war, as is justly calculated to inspire your memorialists, and their constituents, with alarm for the security of their country, bordering as it does, on the very confines of savage, warlike, and powerful tribes."

"Wherefore, in consideration of the above recited facts, the president is asked to remove his excellency, Robert Lucas, from the office of governor of Iowa territory."

acts by which it was provided, that every bill passed by the council and house of representatives should be presented to the governor, and if he approved it, the same should become a law; if not he should return it with his objections to the house in which it had originated, for reconsideration, and if both branches of the legislature passed it by a two-thirds vote, it should then become a law without the approval of the governor.

They also made provisions for authorizing the legislature to pass laws permitting the people to elect the sheriffs, judges of probate, justices of the peace, and county surveyors.

There was likewise a law passed authorizing the delegate (William W. Chapman) who was elected at the time of organizing the territory as representative to congress, to hold his seat till the eleventh day of October, 1840, and made provisions that the next representative, after Chapman's term expired, should only hold his seat till the fourth of the next March, after which the term should be the same as other members of congress, for the period of two years.

The legislature was not slow in taking advantage of these acts of congress, for at their next session, about the first thing that claimed their attention was to make provisions authorizing the people to elect their sheriffs, judges of probate, justices of the peace, and county surveyors; and by these acts the governor was very much curtailed in his power and influence in the territory.

When Keokuk and his associates, after making the treaty of 1837 for the purchasing of another tract of land, came back from the east, Black Hawk did not return to their village on the Des Moines river, but spent the winter on Devil creek, in Lee county. The old man, doubtless feeling his degradation, preferred to be isolated from those whom he had been accustomed to command, and erected his lodge for the winter in the settlements some forty miles from the boundary of the Indian country, where with his own family, and a few favorite braves, they made a temporary residence. His family consisted of his wife, two sons, Nash-she-ar-kuk and

Sam-e-sett, a daughter, Nan-ne-quā, and her husband. Black Hawk's companions passed their time mostly in hunting deer, turkeys and prairie chickens, which were very abundant and afforded them a good supply of provisions, while he spent most of his time in fixing his cabin and exercising his skill with mechanical tools. In the spring of the year 1838, he removed into the Indian country, and built his lodge on the Des Moines river, a short distance above the old Iowa Indian village, where was subsequently laid out the town of Iowaville. "Here he had a very comfortable bark cabin, which he furnished in imitation of the whites, with chairs, a table, a mirror and mattresses. His dress was that of the other chiefs with the exception of a broad-brimmed black hat, which he usually wore." He kept a cow and adopted many of the habits of civilized life. During the summer he cultivated a few acres of ground, and raised quite a crop of corn; melons, and other vegetables. His lodge was often visited by the whites who were always received by the old chief hospitably, and treated to the best his cabin afforded.

On the fourth of July, 1838, the citizens of Fort Madison got up a celebration and gave Black Hawk a special invitation to attend, which was accepted, and the old man was decidedly the lion of the day. At the dinner table he was complimented with the following toast:

"Our illustrious guest, Black Hawk—may his declining years be as calm and serene as his previous life has been boisterous and full of warlike incidents. His attachment and friendship to his white brethren may fully entitle him to a seat at our festive board."

In reply to which he arose and said:

"It has pleased the Great Spirit that I am here to-day. I have eaten with my white friends. The earth is our mother; we are now on it, with the Great Spirit above us—it is good. I hope we are all friends here. A few winters ago I was fighting against you; I did wrong, perhaps, but that is past; it is buried—let it be forgotten. Rock River was a beautiful

country; I liked my towns and my cornfields, and the homes of my people; I fought for it—it is now yours; keep it as we did; it will produce you good crops. I thank the Great Spirit that I am now friendly with my white brothers; we are here together, we have eaten together, we are friends. It is His wish and mine; I thank you for your friendship. I was once a great warrior, I am now poor; Keokuk has been the cause of my present situation; but do not attach blame to him. I am now old; I have looked upon the Mississippi river, I have been a child; I love the great river; I have dwelt upon its banks from the time I was an infant, I look upon it now. I shake hands with you, and as it is my wish, I hope you are my friends.”

Early in October, 1838, the commissioner for adjusting claims with the Sac and Fox tribes, was to meet them at Rock Island, and most of the Indians were there on the first of the month. Black Hawk had been taken sick with a violent bilious fever, and was unable to go with them, and on the third of October, after a sickness of only seven days, he died. His wife, who was much devoted to him, was deeply distressed during his sickness. She seemed to have a presentiment that he was about to leave her, and said some days before he died: “He is getting old; he must die. Monotah (God) calls him home.” After he was dead his corpse was dressed in the uniform which had been given him when at Washington, and placed upon a bier, made of two poles with bark laid across them, and carried by four braves to his grave, “followed by his family and about fifty of the tribe” (the chiefs all being absent), who were deeply affected at the death of their once powerful and distinguished chief. “The grave was six feet deep, and of the usual length, situated upon a little eminence, about fifty yards from his wigwam. The body was placed in the grave in a sitting posture, upon a seat constructed for the purpose. On his left side the cane given him by Henry Clay was placed upright, with his right hand resting upon it. Many of the old warrior’s trophies were placed in the grave, and

some Indian garments, together with his favorite weapons." The grave was then covered with plank, and a mound of earth several feet high, "sodded over with blue grass sod," raised over the spot. At the head of the grave there was raised a flag-staff bearing the national flag, and at the foot there was placed a post on which there was inscribed in Indian characters, many of the warrior's heroic deeds, and his age, which was supposed to be about seventy-two years; and the whole was inclosed with a picket fence about twelve feet high.

But his remains were not permitted to rest in quietude in their narrow abode to which his friends had consigned them. A Dr. Turner, a resident of Lexington, Van Buren county, from pecuniary motives, disinterred them and carried away all the bones, with the trophies and habiliments which had been deposited in the grave, with a design of taking them through the country to exhibit for money. The whole nation, and particularly the family of Black Hawk, were very much incensed at the desecration of the grave of the distinguished chief.

After it was found out that the remains of Black Hawk had been taken away from the place of their deposit by some white man, about fifty of the principal Indians of the nation visited Governor Lucas at Burlington, and had a council with him. Nash-e-ar-kuk, the son of Black Hawk, in relation to his father, said to Governor Lucas: "I wish to speak with you about the white people, and let you know the white people have taken away my father's remains from the grave. I do not like it, and there is not any one of my father's family that likes it. We did not think any white man would be guilty of this. They came in the summer and took away his head, and they have come since in the fall and taken away his body. We wish the governor to try and find out who has done it."

A person who was present at this conference says:

"Although not a chief, young Black Hawk appeared to be the chief among the *nobility*. When he stood up to speak of the desecration of his father's sepulcher, and stealthily remov-

ing his father's head in the summer, and coming again and taking away the remainder of his body at another time, we imagined him to be a complete personification of *grief*, telling to a sympathizing audience his tale of woe. The recital of this sacrilegious act sent a thrill of horror through the whole assembly, which was very large and respectable."

Gov. Lucas, upon being informed of the outrage upon the grave of Black Hawk, immediately took measures to have the wrong redressed. He succeeded in getting possession of the remains, but not in punishing the offender. The governor informed the friends of the deceased that he had obtained his bones, and that they were at his office ready to be delivered to them. They expressed much gratitude to the governor for what he had done, but on account of some superstitious notions entertained by the Indians, they never took them away. The bones, clothes, and some other things which had been deposited in the grave, were kept in the office of the governor at Burlington, for some time, and were afterwards given in charge of the Historical Society formed at that place, and in a conflagration were consumed by fire, with many other valuable collections of the society.*

The Sac and Fox Indians, having disposed of all their lands bordering on the Mississippi, most of the nations located themselves in the valley of the Des Moines river; and the general government thought it advisable to establish an agency nearer this settlement than the old one at Rock Island, and during the summer of 1838, buildings were erected and there was an agency established in that part of the Indian country of which Wapello county was subsequently composed, and near the site of the town of Agency City. Gen. Joseph M. Street, who previous to the establishment of this agency had been Indian agent for several years, was appointed to take charge of this station.

* The author of this sketch of Black Hawk has spent much time and labor to get a true knowledge of facts, and finds many conflicting statements about the last events of this great warrior, especially in those written of recent date. The statements as to the time of his death on pages 50 and 420 of the Annals, are certainly incorrect. The history here furnished has been gathered from statements which were written about the time the incidents happened, and are believed to be correct.

At this place, under the direction of Gen. Street, a large frame house was erected for the use of the agent, a blacksmith shop, a gunsmith shop, and other buildings necessary for the agency, at the expense of the government. And Gen. Street also made a large farm near his residence, on the Indian lands. And not far from the agency house there was built a large two-story log dwelling house, and stables and other buildings necessary for farming purposes, and a large tract of land fenced and put into cultivation for raising produce for the Indians, which were occupied and carried on by individuals in the employment, and under the pay of the United States. This was called the "pattern farm." The object of the government in carrying on this farm, was to set the Indians a pattern in agriculture, and induce them to turn their attention to cultivating the soil. Besides these improvements there were other buildings put up, and farms made at private expense by those connected with the agency, or the trading establishments. Joseph Smart, who was interpreter for the Indians and had a squaw for his wife, built a large log house near the agency house, in which he lived and kept public entertainment for the accommodation of those who visited the agency. And about four miles below, where the town of Eddyville was subsequently laid out, John Goodell, the interpreter for Hard Fish's band, built a house and made quite an extensive improvement.

Government also caused to be erected two grist mills for the use of the Indians; one on Sugar creek, about two miles below Ottumwa, on the north side of the Des Moines, which was under the care of Jeremiah Smith, sen., who opened a large farm near the mill. The other mill was built on the south side of the Des Moines, on Soap creek. The former mill was carried away by the flood soon after it was built, but the latter remained for many years after the country was settled by the whites, and became the property of James Jordan. In addition to these improvements by white men, three of the Indian chiefs, Keokuk, Wapello and Appanoose, had each a large field enclosed, the two former on the west side of the river, about three miles below Ottumwa, near their vil-

lage; the latter had his village on the present site of Ottumwa, and had a field enclosed immediately below.

The same year that the agency was located at this place, the Ewings and Phelps, two old Indian trading firms, established trading houses on the east bank of the Des Moines. The Ewings's house was about two miles below Ottumwa, and under the superintendence of — Hunt; while the Phelps's house was about a mile below the Ewings's and was under the management of William Phelps. Soon after these trading posts were established, J. P. Eddy obtained a license, and opened a trading house on the site where the town of Eddyville was subsequently laid out. Near this location, on the east side of the river, was the village of Hard Fish, and on the west side of the river, about a mile above, was the village of Wab-e-kei-shiek, the prophet. The Indians under these chiefs were those who were formerly the friends, and adhered to Black Hawk.

At this agency, established by the government through Gen. Street, councils were held and business transactions carried on with the Indians till after they sold their lands and moved away. There had been a council of the Indians at the agency to settle the mode by which the Indians should receive their annuities. Gen. Street had been unwell for some time, and during the sitting of the council became so much indisposed that he was unable to sit with them, till it closed. But his friends did not think him dangerously ill, and on the afternoon of the day on which the council adjourned, he took a ride. Shortly after his return to the house he was attacked with a fit of apoplexy, which carried him off in a very few minutes, and he ended his earthly career Tuesday evening, May the 5th, 1840, in the fifty-eighth year of his age.

Gen. Street was first appointed Indian agent in 1827, and continued in the employment of the government as their agent with different tribes up to the time of his death. While stationed at Prairie du Chien he had the agency of the Winnebagoes and the Menominees, and used great efforts to improve the moral and intellectual condition of these tribes.

Through his influence schools were established among them, and they were furnished with implements of husbandry, and were instructed in the mechanical trades. The Indians regarded him as their devoted friend, and were very much distressed at his death.

The relations of the deceased were about to take his remains to a settled part of the country for interment for fear that the lands about the agency might subsequently pass into the possession of those who would have no respect for his remains, and his grave might be disturbed. But the Indians were desirous that he should be buried in their country, and on learning the apprehensions of his friends gave their solemn pledge that his grave should be respected. And this pledge was faithfully kept, for when they disposed of their lands to the United States, they peremptorily refused to sign any treaty unless there was a reservation of land to Mrs. Street including the grave of her husband. And in accordance with the desire of the Indians, Gen. Street was buried at the agency, near the dwelling house, on a spot of ground which had been inclosed for a garden.

(To be continued.)

HISTORY OF LINN COUNTY.

BY F. SNYDER, LE CLAIRE, SCOTT CO., IOWA.

The writer makes no pretensions as to *minutiae* in writing history of this kind, as his sketch of Jackson county, published in Vol. VII. of the Annals, will show. But his observations, and what he has learned concerning the history of Linn county during the past ten years, may be worthy of note, leaving a more particular description of the county to some "old settler."

Linn was one of the sixteen counties represented in the first legislative assembly of Iowa, which convened at Burlington, November 12, 1838. The population in that year was 205, which has increased to nearly *thirty thousand* in 1869. Linn county is bounded on the north by Buchanan and Delaware

counties, on the east by Jones, on the south by Johnson, and on the west by Benton, and has an area of 720 square miles. It is intersected by the Cedar and Wapsipinicon rivers, which flow in a southeasterly direction, affording abundant water-power; it is also drained by Prairie, Buffalo, Otter, Indian, and Dry creeks. The surface is agreeably diversified, the soil is excellent, the water good, and the county is well timbered. In short, it is one of the very best counties in the Hawkeye state. Three railroads are in operation in the county—the Chicago and Northwestern, the Dubuque and Southwestern, and the Burlington, Cedar Rapids and Minnesota railroads.

Marion, the county seat of Linn, is beautifully situated on Indian creek, five miles from Cedar Rapids, and contains a population of about three thousand. It is one of the most pleasant inland towns in the state. Many fine buildings have been erected since the war, among which is a very neat and substantial public school house just completed at a cost of \$30,000. It also has seven good church edifices, of which the Disciple is the largest. A very interesting annual county meeting was held in the Disciple church last September. The meeting was addressed by Elders N. A. McConnell, J. Hurd, J. W. Kerr, Judge Berry, Elder Mobly, and others. Elder McConnell was a Quaker boy in Ohio, is now a resident of Marshalltown, and is one of Iowa's ablest minister's of the gospel. He has preached for the church at Marion ever since its organization, some twenty-five years ago, twelve years of which time he resided at Marion. Shakespeare's description of Cressida, with a change of the pronoun, is not an overdrawn delineation of this great pulpit orator:—

"There's language in his eye, his cheek, his lip;
Nay, his foot speaks."

James M. Berry has been an elder in this church for many years, was county clerk and county judge, and is one of Marion's most respected citizens. Rev. Alexander Marshall, a highly respected Christian gentleman, has been pastor of the Presbyterian church in Marion for the last ten years. The M. E. church has been presided over by Rev. E. K. Young, Rev. F. W. Vinson, Rev. J. B. Taylor, and others; the Con-

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gregational church by Rev. Mr. Windsor; the Baptist by Elder J. W. De Witt; and the Advent church by Elders Cornell and Snook.

Elder Snook has a printing office, and publishes the Iowa organ of his church. The Catholics have recently erected a church edifice in Marion. Marion also has a Bible Society, a Masonic lodge, and an Odd Fellows lodge. Here also is located "Marion Seminary," originated by Mrs. Bullen, of Marion, a relative of the distinguished South Carolina senator, Lagree.

At a term of district court held at Marion in May, 1861, Hon. Wm. E. Miller, of Iowa City, presided. Judge Miller performed the duties of his high position with ability until in August, 1862, when he was appointed colonel of the 28th Iowa infantry. He is a brother of the Rev. E. Miller, presiding Elder of the M. E. Church, Le Claire, Iowa. At the above mentioned term of court, A. J. McKain was clerk, and J. K. Gibson, deputy. Gen. Thomas J. McKean, sheriff, and John A. Ide, deputy. The following attorneys were present: Hon. I. L. Allen, prosecuting attorney (afterwards attorney general of Iowa), Col. I. M. Preston, Maj. Wm. G. Thompson, Col. Wm. Smythe, Hon. J. B. Young, Hon. N. M. Hubbard, Thomas Corbett, Esq., J. H. Preston, Esq., E. C. Preston, Esq., Capt. G. A. Gray, D. L. Palmer, Esq., John Mitchell, Esq., R. D. Stephens, Esq., John M. Greer, Esq., Judge N. W. Isbell, and J. M. Knight, Esq., of Marion; Hon. E. N. Bates, Judge J. J. Childs, T. J. Dudley, Esq., Hon. A. Sidney Belt, and I. N. Whittam, Esq., of Cedar Rapids; and J. T. Rice, Esq., of Mt. Vernon. F. Snyder and Wm. Henderson were admitted to the bar. At the July term, 1862, the same officers and attorneys were present, and also Judge Conklin, of Vinton (author of Conklin's Treatise), Mr. Davis, of Iowa City, Judge Graham, of Cedar Rapids, and Ed. Latham, Esq., of Mt. Vernon. O. O. Stanchfield, L. B. Jenks, and T. A. Love, were admitted to the bar. Concerning the abovenamed gentlemen, it may be added that Gen. T. J. McKean is a graduate of West Point, was a major in the Mexican war, and

when the late war broke out he said, "There's going to be some fighting, and I must have a hand in it." He therefore resigned his office of sheriff of Linn county, and after some month's service as a paymaster, he was appointed Brig. Gen., and commanded a division of the army at the battle of Corinth, October 4th and 5th, 1862. Capt. G. A. Gray was a soldier under Gen. McKean in Mexico, a captain in the 20th Iowa infantry, and is now county surveyor of Linn county. Col. I. M. Preston is one of the "old settlers" of Linn county, and one of the best lawyers in the state. He was United States district attorney for Iowa in 1848. It is said of him that when he located at Marion, some twenty-five years ago, he was so poor that a grocery keeper (who yet resides at Marion) refused to trust him for a half dozen eggs.

Col. Wm. Smythe, M. C., was judge of the district court from 1853 to 1857, was one of the commissioners to codify the laws (Rev. of 1860), and was also appointed a commissioner of legal inquiry in 1860. He was also the first colonel of the 31st infantry. Hon. N. M. Hubbard was judge of the district court in 1865, after his service as a captain in the 20th infantry. Hon. N. W. Isbell was judge of the supreme court in 1855, and judge of the district court in 1862-3. He died on his way to California in 1864. His wife returned to Marion. She is a niece of the late Gov. Medary, of Ohio.

MEMBERS OF THE COUNCIL AND HOUSE OF REPRESENTATIVES IOWA
TERRITORY—SENATORS AND REPRESENTATIVES IN THE STATE
LEGISLATURE, &C., &C.

Hon. Charles Whittlesey represented Linn, Cedar, Johnson and Jones counties, in the council of the first legislative assembly, and also in the second. Hon. Robert G. Roberts was the member of the house from the same counties in the first legislative assembly. Hon. Geo. H. Wallworth represented Cedar, Jones and Linn, in the house of the second, third, fifth and sixth legislative assemblies, assisted in the third by Hon. Harmon Van Antwerp, in the fourth by Hon. Thomas Denson, in the fifth by Hon. John C. Berry, and in the sixth by Hon. Robert Smythe. Hon. John C. Berry is a

brother of Hon. James M. Berry, of Marion. He was formerly county clerk and county judge of Linn, and now resides in Wisconsin. Hon. Robert Smythe resides at Mt. Vernon. He is a native of the emerald isle, and a brother of our present member of congress, Hon. Wm. Smythe. He was also a member of the house of representatives in 1846-7-8, a paymaster in the army during the great rebellion, for years a member of the law firm of Smythe, Young & Smythe, and is the present senator from Linn. Cedar, Jones and Linn counties were represented in the council of the third and fourth legislative assemblies by Hon. Geo. Greene, of Cedar Rapids, one of the judges of the supreme court from 1847 to 1855, and at present the president of the Rockford, Rock Island and St. Louis railroad. Hon. Samuel P. Higginson was one of the representatives in the house of the fourth legislative assembly.

In the council of the fifth and sixth legislative assemblies, Hon. John P. Cook, now of Davenport, represented Cedar, Jones and Linn. He was also senator from Cedar, Linn and Benton, in the second general assembly; senator from Cedar, Linn, Benton and Tama, in the third general assembly, and represented the second congressional district of Iowa, in the congress of the United States, from 1853 to 1855.

[To be continued.]

THE MANIAC OF THE BORDER.

BY ELIPHALET PRICE.

It was the close of an autumnal day in the year 1835, as we approached the dense forest that skirts the eastern shore of the Volga, some twenty miles from its confluence with the waters of Turkey river. Behind us lay the boundless prairie, stretching away in gentle undulations to the south, as far as the eye could reach, with its rustling herbage seared and embrowned by the autumnal frosts, while here and there, a lonely flower drooped its head, blighted, yet waving in the autumn breeze. Before us the yellow leaves of the forest

were fast eddying their way to the ground, betraying the fleet foot-fall of the rabbit, whose rustling tread would cause the timid deer to start from her leafy couch, and seek the forest shades with hurried bound, while the mournful sound of the distant pheasant, drumming its evening lay, would burst at intervals upon the solitude of the surrounding scene.

Already the twilight shades of evening, were fast receding into the darker mantle of night, when we were startled by the sharp report of a rifle. Aware that we were in the vicinity of a large village encampment of Winnebagoes, whose locality we had been endeavoring to discover during the close of the day, we halted and seated ourselves, reclining against the trunk of a large tree, in the hope that some benighted hunter would present himself to view, who could more readily conduct us to the object of our search, and while peering into the dusky scene that surrounded us, and listening for the sound of footsteps, we were startled by the arm of a human being reaching around from behind the tree, and resting itself upon our shoulder, while the hand hung listlessly down upon our breast. To leap to our feet was but the effort of a moment, and as we brought our rifle to a defensive position, we caught a glimpse of a tall, manly form, receding slowly into the forest, until the gloom of the night shielded him from our view; and while revolving over in our mind the character of the mysterious stranger, there arose upon the stillness of the surrounding scene the clear tones of a human voice, echoing far away through the forest, those beautiful words of Isaiah: "Ho, every one that thirsteth, come ye to the waters, buy wine and milk without money and without price," when the forest again resumed its wonted stillness. Pausing for a moment, then calling aloud to the mysterious stranger, until finding that no further discovery of him was likely to occur, we again resumed our journey in the direction of the Indian encampment, the locality of which we had now discovered by the crimson tinge of the heavens, occasioned by the bright glare of its numerous camp fires. We soon succeeded in reaching the village, situated in a broad deep valley, that opened from

the Volga to the south. For a mile along the valley, the camp fires blazed on every side, while the crack of rifles, the shout, the laugh, the whirling tramp of the dance, mingled with the wild, monotonous song of the Indian, and the gong-like notes of the war drum, denoted some unusual occurrence about to take place. Pushing forward through the disordered groups, we hastened on to the wigwam of Nô-chump-kah, where, after partaking of his hospitality, he urged us to accompany him in the direction of a high mountainous hill, that formed the eastern boundary of the valley, towards which a large concourse of Indians were directing their steps, from various parts of the valley, each carrying a blazing torch of pine knots. As the party approached the base of the hill, each suddenly disappeared through an aperture that opened beneath the entangled folds of a vinous arbor, that crept with a luxuriant appearance over a low undergrowth. Following the footsteps of our guide, we found that we were winding along a narrow but lofty subterranean passage, that led into the interior of the hill, and as we approached the brink of a broad, deep chasm, the party halted for a moment, and then one by one began to descend into the cavern by a natural flight of projecting rock steps, that wound with a spiral descent along the circular sides of the dark yawning pit, from whose depths arose the gurgling murmur of a distant waterfall, accompanied by a white column of spray, that sparkled and glittered as it reflected the glare of our torches. Our course at length diverging from the fearful chasm, we again found ourselves winding along a passage that widened occasionally into ample halls, then narrowing into a passage that admitted with difficulty a single person, until it opened into a stupendous amphitheater, from the center of which an ignited bundle of pine knots sent up a lofty column of blazing fire, that lit up the rock-bound sides of the cavern, giving to them the appearance of some forty feet in height, while a deep blue arch of solid rock canopied the whole, festooned with innumerable columns of glittering spar, whose tapering extremities emitted a star-like sparkle, giving to the blue arched canopy a midnight ethereal aspect.

Encircling the column of fire, a gray haired band of veteran warriors reclined in a sitting posture, while an outer circle was composed of the more youthful warriors and novitiate hunters. As we stood gazing upon the scene before us, endeavoring to comprehend its mystery, a touch upon the arm caused us to recognize the Indian who had accompanied us there, and after pointing with his finger to an elevated position upon the opposite side of the hall, he then glided stealthily away, and joined his companions in the circle. Our attention was immediately rivited to that part of the cavern, by the strange appearance of a person standing in a statue-like position, upon a broad shelving rock that jutted out from the wall of the cavern. His broad, white, intellectual forehead, bespoke him a white man, whose physical proportions were of the athletic order; a profusion of hair concealed the proportions of his face, while a long, black, glossy beard, swept far down upon his breast, partly concealing a cross, upon which which was rudely carved the image of our Saviour, supported by a thong of raw-hide passing around the neck. A long, white, tattered blanket, enveloped his person, secured at the waist by a broad belt of wampum, which supported a heavy, naked sword, the hilt of which was guarded by a woven basket of iron; his hands were crossed upon his breast with an air of solemnity, while his gaze seemed fixed intently upon the lofty arch, that flung its sparkling canopy over the spacious cavern. For a time his solemn immovable position seemed to impart a resemblance to some sculptured work of art. At length life began to manifest itself, by a spasmodic movement of the lips, accompanied by a smile that beamed upon his countenance, as he exclaimed in a low, plaintive, but audible tone of voice,—

"She vowed, she swore she would be mine,
She said she lo'ed me best of o'ney;
But ah! the fickle, faithless queen."

Here his chin sank upon his breast for a moment, and then the wild, screaming laugh of the maniac, burst from his lips, until his attention was arrested by the group of Indians before him, at the sight of which he seemed to start, then pressing

his hands against his forehead, he exclaimed,—“O God, am I thy servant here, to lead the wild untutored savage up to thee? Oh no, no, it cannot be; this maddened brain; so wrecked—why am I here?” Then gazing wildly around him for a moment, he approached the edge of the rock, and bowing with submissive meekness, continued,—“Thy will be done!” Then stretching forth his arms, he exclaimed in a calm, stentorian voice,—“Ho, every one that thirsteth, come ye to the waters, buy wine and milk, without money and without price.” Without pausing for a moment he launched forth in the Anglo-Scottish dialect, with a strain of religious eloquence so marked with erudition that it was irresistible to believe otherwise than that his better days had been expended as a Scottish student. But what had brought him to these cavern wilds? What drove the exile from his native land? While we were revolving these questions over in our mind, he seemed absorbed with the contemplation of religious subjects, sweeping with biblical research among the allegorical gems of the prophets, culling a flower here and there, and entwining them into a gorgeous wreath of eternal life, and swinging it aloft by the power of his eloquence as a Bethlehem star, to entice the benighted mind of the listening savage. Again he would burst into the wild laugh of the maniac,—pause and listen for a moment,—and then, as the glistening tear-drops coursed down his long beard, he would murmur in a plaintive tone some verse from Scotland’s bard. Again his mind would resume its natural character, enrobed in its flowing mantle of erudition, which enabled him to glide from language to language, as its expressiveness seemed best adapted to the elucidation of his ideas.

The swarthy savage, although unable to comprehend his language, evidently began to manifest a feeling of excitement, imparted through the agency of the expressive gestures of the maniac; leaning forward upon his elbow, with a quickened and audible respiration, his eye glared intently upon the rapid movements of the speaker, until a glistening perspiration began to start upon his swarthy brow.

Again the maniac paused, while far away among the distant caverns his maniac laugh was hushed in murmuring echoes. Then snatching from his breast the thong-bound cross, he whirled it around his head, with a fiendish convulsive scream, as he burst into the wild figurative language of the Indian, detailing with savage eloquence the history of the Saviour, and as he poured forth the descriptive scenes of his sufferings and death, the quivering lip, the twinkling eye of the savage, as his hand crept instinctively to the handle of his scalping knife, bespoke the excitement he had wrought upon their uncultivated minds. Continuing in the language of the Indian, he exclaimed,—“Oh God, forbear; thy exhausted servant sinks before the coward red man, who dare not be a warrior of the cross.” In an instant the savage group bounded to their feet, while the scream of the war whoop rang through the distant caverns, as they flourished their scalping-knives above their heads, and rushed towards the maniac, avowing themselves ready to follow him upon the war path, as avengers of the wrongs of the Saviour.

Then came the distant report of a rifle, hushing to listening silence the tumultuous group; and in a moment more a painted savage, begrimed with blood, sprang into their midst, waving from the top of his lance a freshly taken scalp, from which the life-blood had not ceased to drip; pointing to it with a savage grin, he hissed between his teeth the fearful name of the war-bred Sauk, at the announcement of which the listening Indians snatched their torches from the blazing pile and rushed towards the outlet of the cavern. Following the footsteps of our guide, we soon reached the open valley, filled with disordered groups of savages, shouting the rallying war cry of the different bands, while the gong-like voice of the Indian drum rolled its monotonous notes along the valley, arousing the warrior's mind to deeds of savage glory. From the summit of the distant hills that bound the valley on the west, the signal fires of the warrior Sauk were blazing, flinging a lurid glare of light over the valley beneath, while round the burn-

ing piles the warrior foeman danced and shouted his promised deeds of prowess.

Already the grey morn had begun to creep along the eastern sky, as the enemy came rushing down from the hills into the valley, shouting the fearful war cry of the Sauk, which was immediately answered by the screaming war whoop of the Winnebagoes of the valley, as they closed in dreadful combat with their common enemy. The commingled crack of rifles now roared along the valley, while the twanging hum of the bow-string, the crash of the battle axe, and the resounding blows of the war club, arose amidst the groans of the dying and the war scream of the contending bands. For a time victory seemed to incline towards the arms of the war bred Sauk, who, pressing upon his foe, compelled them to fall back with a slow retreat. At that moment there came a shout from the upper part of the valley, as a strange appearing person urged his wild steed along it in the direction of the battle, brandishing above his head a flashing sword, while the spectral laugh that rang upon the air, announced the approach of the maniac of the cavern, at the sight of whom the retreating Winnebago rallied with a maddening scream, throwing away his rifle and closing upon his foe with gleaming knife, as the maniac dashed through their ranks, plunging his steel against the enemies' front, and braining his sword with flashing strokes on every side, while the fierce animal that bore him against the columns of the foe, crushed through their rank a trail bestrewed with mangled warriors. Wheeling upon their columns with a shout, again he reigned his fretted steed for the charge, and thundered down their ranks, until the wild shout of Indian triumph arose above the battle's din, announcing that the retreating Sauk was fast taking refuge among the neighboring hills.

The sun had already arisen above the field of strife, the war whoop and the clash of arms had ceased, while far away the merry quail was whistling his autumn carol to the morning sun. Here and there might be seen an Indian woman wandering over the field of battle, mingling her mournful wailings

with the rippling murmurs of the Volga, while everywhere the triumphant Winnebago stood forth, silently winding his fingers into the gory locks of his dying or lifeless enemy, and snatching from the bleeding skull the warrior's trophy. A little farther on, we paused for a moment to look upon the beautiful war-steed of the maniac, as he lay stretched upon the bloody plain pierced with the barbed iron of a feathered arrow, and as we hastened away from the scene that surrounded us, our ear caught the notes of a voice far up among the craggy hills, breathing in marshal strains, the brigand song of ancient Caledon:—

“Why England has no braver boy,
Than Scotland's gallant, bold Rob Roy.”

Years had passed away; the rifle of the Indian no longer awakened the echoes of the Volga, the grass had begun to grow upon the trails of his familiar haunts. Along the borders of our prairies, and in the deep winding dells of the wooded streams, the humble cabin of the white man had begun to lift its modest front, while through the new-made field the cerean harvest waved its golden head, or silken tassels decked the luxuriant corn. It was August; the pioneer, the Indian trader and the hunter of the surrounding country, had assembled for the first time in the lives of many of them, as jurors and spectators, around the rude log court house of the newly started village of Prairie Laporte, situated upon the banks of the Mississippi. The setting sun had nearly closed the first day's labor of the court, when a shout of “steamboat from above,” brought a large concourse of spectators to the river bank; and as the boat approached the shore, the guard call of the drum, summoned to her deck an officer of the army, accompanied by a guard of soldiers, who immediately marched from the boat and began to ascend the river bank, followed by a well dressed, tall, muscular person, bound in chains, who might have seen some twenty-seven years. The spectators opened to the right and left, as the prisoner passed along with a downcast look, while his folded arms concealed in part the chains that bound him. Advancing towards the sheriff, the

officer observed: "I deliver into your charge, sir, a murderer, taken prisoner by the command at Fort Snelling; proof of his guilt will be found in these two soldiers." Then surrendering his charge he departed for the boat. At the sound of murder, a shudder seemed to creep over the person of the stranger, as he lifted his eyes slowly from the ground. At that moment we discovered an old man, bent by the hand of time, standing in the opposite rank of spectators, leaning forward upon his rifle, which he supported with one hand, while with the other he shaded his eyes as he peered into the face of the stranger; and as he gazed, the blood would rush to his embrowned visage for a moment, then an ashy paleness seemed to diffuse itself over the wrinkled features of the old man, whom we now recognized as the far-famed Timmy Black, the wandering bee hunter of the north, who, muttering to himself, silently withdrew from among the spectators, as the prisoner passed, under the guard of the sheriff.

The court had already adjourned for the day, and as the evening advanced, the spectators began to congregate at the different groceries, and soon the bacchanalian cup awoke the hunter's song, while many a fearful tale of border life, spun out its lengthened details with each glass, accompanied by the exultant shout of the card player, and the boisterous disputations around the rattling dice-box, until the night had far advanced, when we withdrew from the sultry scene around us, and approached the high bank of the river to enjoy the cool breeze that rippled its moonlit surface. Seating ourselves beneath the branches of a stunted oak, our attention was soon arrested by the dark form of a person gliding stealthily among the dense cedars that skirted the descending bank of the river. As he approached the open sands of the river shore, we recognized the bent form of the wandering bee hunter; who, pausing for a moment, and peering cautiously around, seemed satisfied that he was undiscovered; then advancing to the border of the river, he stretched himself out upon its sands, placing his ear close to the surface of the water. Listening for a time,

he arose and commenced soliloquizing, as his attention seemed fixed upon some distant object in the river:

"Well, well," said he, "the boy is safe now; if he courses for the old gum 'twill not be the sheriff of this settlement that'll line him up. He had a monstrous deal of book larnin', but his mind was little better than a piece of rotten comb. I tell'd the bar keeper to throw his liker out to the sheriff's guard, to the matter of that speck of honey that I sell'd to the clark of the boat. I did want some powder, but I'll do without the powder; yes, yes, I'll do without it, for I remember the time when on the Volga, he struck off the Indian's arm at a single blow, while it held the scalping-knife over these few white locks of mine." Here the old man paused, seemingly to brush way an intruding tear, then resumed: "Well, well, I've done him a good turn; God be with ye'r boy, wherever ye course."

A that moment a canoe, containing a single person, glided out from among the willows of an island near the shore, and as it floated out upon the current of the moonlit stream, there arose upon the stillness of the night, the familiar shout of other scenes;—"Ho, every one that thirsteth, come ye to the waters, buy wine and milk without money and without price." Then all around was hushed to solemn stillness; the bee hunter had disappeared among the cedars, and as the canoe glided behind a distant island, we saw no more of Donald McMullen, the maniac of the cavern and the sheriff's prisoner.

RECOLLECTION OF THE EARLY SETTLEMENT OF NORTHWESTERN IOWA.

BY N. LEVERING, MECKLIN, MO.

(Continued from page 304.)

By an act of the congress of 1854-5, a United States land office was located at this place (Sioux City), and was opened for pre-emptions on the 22d day of October, 1855. Dr. S. P. Yomans was appointed register, and Gen. Andrew Leach, receiver. On the 20th day of May, 1856, congress passed an

appropriation bill granting every alternate section of government land for the building of the Dubuque and Sioux City railroad, and on the 5th of July following, the survey was commenced at Sioux City, and running east. This enterprise lent additional interest and gave a new impetus to the settlement of the northwest, and more especially to Sioux City. In July of the same year, Messrs. Plummer and Flag (if I mistake not) built the first steam saw mill ever built in Woodbury county. It was located at the mouth of Perry creek. This important enterprise added in a wonderful degree, to the growth and prosperity of the town and surrounding country. The mill was subsequently purchased by Messrs. Sanborn and Folet, who were men of energy and enterprise. They soon added to their mill a lath and shingle machine, and in 1858 erected a grist mill with two run of stone, near the mouth of Floyd river, in south Sioux City. This was the first mill of the kind built in Woodbury county. By the 1st of December of this year (1856) there were about one hundred neat and comfortable dwellings in the city, seven dry goods stores, two clothing stores, one tin and stove store, and one grocery and drug store. The members of the bar at that time were, John Currier, A. W. Hubbard, S. T. Davis, N. C. Hudson, and H. I. Brown. Hon. S. Riddle, of Council Bluffs, presided as district judge. This judicial district extended from Pottawattamie county, north to the state line, a distance of about two hundred miles, and east about one hundred miles. The first court held in Sioux City in 1856, was held in the bar-room of the "Des Moines House," kept by Jacob Osterling, a German.

The first sermon preached in Sioux City, if I have been correctly informed, was by a Rev. Mr. Black, of the Methodist church, in 1855, in the bar-room of what is known as the "Hays House," on the levy, then occupied by the proprietors, Benner and Bros., as a hotel. At that time morals were at a low ebb in Sioux City, for it is said that when brother Black came to our city to break the bread of life and set up the kingdom of God, satan came also, and set his up in the other

end of the bar-room, by some of his disciples, under the influence of the devil's tea, and who irreverently indulged in the luxury of a game of seven-up during divine service.

The winter of 1856-7 was one of great severity, and will be long remembered by the early settlers of the northwest. On the 2d and 3d days of December, one of the most terrific snow storms that ever blew out of the heavens, swept over that section of the country, hurling snow into every crack and crevice that air could penetrate, and into drifts of fifteen and twenty feet in depth, burying cattle, sheep, and other stock, so deeply that hundreds perished from the extreme cold. On the 7th day of February following, another severe snow storm nearly equal to the one of the 2d and 3d of December, added much to the distress of many of the settlers of the northwest, as but few were prepared for it. The snow was now about four feet on the level, which completely hemmed in some settlers who were living remote from the more populous portions of the country, and whose stock of provisions gave out before it was possible to get more. Some killed their cattle and subsisted upon them for days after their flour and meal had given out, whilst others lived upon parched corn. A Mr. Guilliams and family, who in the fall of 1856 built a cabin in Big Sioux river valley, in Plymouth county, about sixteen miles from Sioux City, suffered much. After they had consumed the last of their flour, Mr. Guilliams set out for Sioux City to procure more, arriving there one day and returning the next to his starving family with a sack of flour for which he paid \$10.00, and carried it the entire distance on his back. By the time this sack of flour was consumed the snow had increased in depth, and Mr. Guilliams and wife were so afflicted with scurvy that it was impossible to obtain more; they were now compelled to resort to some means to supply the keen demands of appetite, which was now making an urgent demand. A poor cow, high of bones and low of flesh, was selected as the dernier resort, and slaughtered for the occasion, and upon whose flesh they subsisted for a number of days, until other provisions could be obtained. Their fire-wood gave out, and being

some distance from timber they were not able to procure more; the weather was very severe,—intensely cold. After consuming all wood in their reach they attacked the walls of their cabin by chopping and splitting blocks from the logs; in this manner they obtained wood sufficient to cook their beef, keeping their beds a greater portion of the day to avoid freezing. Thus the dreary winter,—

“Like the wounded snake,
Drew its slow length along.”

When early in the spring a friend from Sioux City (a Mr. Mills, I think) passed that way, and good Samaritan-like relieved their wants. This is only one instance out of many of the same character, that occurred in northwestern Iowa during that winter.

In the month of March, 1857, when the snow rapidly disappeared, the streams were swollen out of their banks. So high were the Missouri and Floyd rivers, that they came together in what is now called south Sioux City, not far from where the Presbyterian church now stands. It was about this time that it was discovered that the mad waters of the Missouri were encroaching upon the grave of Sergeant Floyd (who was buried about two miles below Sioux City, on Floyd's bluff), and likely to precipitate the grave and its contents into its turbid bosom. A meeting of the citizens of Sioux City was at once called, and a committee appointed to repair to the grave at once, and secure all that remained earthly of Sergeant Floyd. Said committee consisted of N. Levering, chairman, Hon. M. F. Moore, Dr. S. P. Yeomans, George Ware, and J. M. White. The committee, together with a large number of citizens, repaired to the grave which was on Floyd's bluff, about two miles below Sioux City. This bluff is about two hundred feet high, commanding a view for many miles of the surrounding country in Iowa, Nebraska and Dakota. When the committee arrived they found, much to their regret, that the mad and rushing waters beneath had robbed the grave of part of its contents. Until then he had slumbered for over a half century, where he had been laid by his com-

panions and brother soldiers, far from fond and loving hearts near and dear, in a howling wilderness, the abode of savage beasts and still more savage men, where naught was heard save the warwhoop of the brawny savage, the howl of the wolf or the croak of the raven. Until then, the green grass had waved and flowers bloomed upon his silent abode. For more than fifty long years had the autumn leaves rustled, and fragrant flowers drooped and withered o'er his grave; the chilling winter winds howled a sad requiem, and the turbid waters of the Missouri murmured by, and no one visited the last resting-place of the brave adventurer, save the red warrior or the dark-eyed Indian maiden, who would turn aside to gaze or perchance drop a tear upon the grave of the pale face brave, as they would recall to mind with a sigh the relative or lover who may have in like manner been stricken down by the mighty hand of the Great Spirit, in a strange land, far from those he loved.

By much labor, and danger of being precipitated into the abyss below, we succeeded in securing all that the muddy waters beneath had left, which were the skull, lower jaw, one thigh and one shin, with quite a number of smaller bones, together with relics of the coffin. The bones had suffered but little from decay. In order to arrive at some conclusion as to the probable stature of Sergeant Floyd, the writer of this sketch made an accurate measurement of a portion of the bones secured. The skull measured twenty-one and a half inches in circumference, the thigh eighteen and three-fourth inches in length, the shin bone fifteen and one-fourth inches, and the other bones in proportion; he must have been six feet six or seven inches high.

The remains thus secured were taken in charge by the committee, for re-interment. The coffin in which he was placed appeared to have been made with small oak slabs split out and set up on end around the corpse, and covered with the same material. The red cedar post that stood at the head of the grave, placed there by the hands of his comrades to mark the spot and point out to the traveler in after years, where slum-

ber the ashes of the brave explorer, had slid into the river; it was as sound as it was the day it was placed there. It had been whittled down until it was no larger than a walking stick, by travelers anxious to preserve a relic of the grave of Floyd. According to a published account some years since, a piece of this post was carried to London by an English traveler, and placed in the museum there to perpetuate the memory of Floyd. On the 28th day of May, 1857, the remains of Sergeant Floyd were re-interred, with appropriate ceremonies, on the same bluff, within two hundred yards of where they had formerly rested. They were placed in a neatly finished coffin, six feet seven or eight inches in length. A large concourse of people were present to witness the funeral ceremonies. Capt. James B. Todd, late of the U. S. army, officiated as marshal, under whose direction a procession was formed at 2 o'clock p. m., in front of the U. S. land office. The coffin was draped with the stars and stripes; the pall bearers were eight, seven of whom represented seven different states; they were, W. Craft, of Virginia; T. Griffy, Kentucky; L. Kennerly, Missouri; W. H. Levering, Indiana; N. Levering, Ohio; D. W. Scott, of the U. S. army (the other names not now remembered). The coffin was borne at the head of the procession, which was marched to the levee where the steamboat "Lewis Burns" was in waiting to carry all that could get aboard down to Floyd's bluff. Many went in carriages, &c., the boat not being able to take all. Arriving at the bluff the grave was found in readiness, when Capts. Todd and Scott, W. H. Levering and W. Craft, lowered the coffin into the grave. Impressive funeral services were then performed by the Rev. Thomas Chestnut, of Illinois, after which an oration was delivered upon the occasion by Hon. M. F. Moore, of Sioux City, Iowa. The address was very appropriate, able and eloquent, and reflected much credit upon the honorable gentleman. Steps were then taken to erect a monument over the grave of Floyd, out of American marble, which I am sorry to say was never consummated. I trust it will yet be done at no distant day by the good citizens of

Sioux City, to mark the grave and point out to the traveler the spot where now slumber the ashes of the only man of Lewis and Clark's expedition who died during their long and tedious journey of three years up the Missouri river, and of the first white man who was buried in the northwestern country.

(To be continued.)

PIONEERS OF MARION COUNTY.

CHAPTER IV.

GOING TO MILL—TALLY'S FORD—ORIGIN OF ROADS—FIRST ROADS LOCATED—RETURNING FROM MILL.

But when breadstuffs were needed, they had to be obtained from the "Old Purchase," and hauled, mostly by ox teams, a distance of from sixty to eighty miles; some had to go even as far as Burlington to get a supply of wheat and corn and have it milled. Wheat could be had at fifty cents per bushel; cheap enough compared with present prices, but dear enough then, considering the scarcity of money, the inferiority of the grain and the distance it had to be hauled. Owing to the want of proper means of threshing and cleaning it, wheat was more or less mixed with foreign substances, such as dirt, smut and oats. The price of corn was from fifty to seventy-five cents per bushel. It was mostly bought in the ear, and shelled by the purchaser before taking it to mill. Those mills usually resorted to were at Brighton, Washington county, and at Keosauqua and Bonaparte, Van Buren county.

But the difficulties to be encountered in reaching these distant places, were not the least among the tribulations endured by the pioneers during the first two years of settlement. The slow mode of travel by ox teams was made still slower by the almost total absence of roads and bridges, and such a thing as a ferry was hardly even dreamed of. In dry weather, common sloughs and creeks offered little impediment to the

teamsters; but during floods and the breaking up of winter, proved exceedingly troublesome and dangerous. To get "stuck" in some mucky slough, and be thus delayed for an hour or more, was no uncommon circumstance. Often a raging stream would blockade the way, seeming to threaten swift destruction to whoever would attempt to ford it.

To those living south of the Des Moines, Tally's ford was the usual place of crossing that river. This ford was at what is now Bellefontaine, a little east of the county line. During low water, no difficulty was experienced in fording; but when it was too deep for this, the means of getting over were certainly trying to any wayfaring man. The only ferry-boat was a small canoe. Wagons had to be unloaded and taken to pieces, and both they and their loads shipped in small cargoes at a voyage, till all were over; then the teams had to be unharnessed or unyoked and made to swim, the horses being led by the halter at the side of the canoe, and the oxen by the horns.* Sometimes they were permitted to take their own course in swimming.

An "old settler," to whose "sketches" we are indebted for these statements, speaks thus eulogistically of the disinterested generosity of Mr. and Mrs. Tally, who kept the ferry:

"In this work the early settlers were much indebted to the kind assistance of Mr. and Mrs. Tally, who labored faithfully for their accommodation, usually without adequate compensation, and frequently without any whatever, very generously refusing any reward for their timely aid;" and also acknowledges, for himself and others, "a debt of gratitude for favors bestowed in times of real necessity;" for the good Samaritan offices of this worthy couple were not confined to the ferry: in cases of sickness, or want in other respects, they were neighbors to all within their reach. It is therefore due to them that their names should be preserved to memory, as among the benefactors of mankind in a sphere not less im-

*Mrs. Tally has been known to lead an ox by the horns whilst her husband managed the canoe, which must certainly be regarded as an act of extraordinary heroism for a lady.

portant because limited to a locality. Their present residence is in Decatur county.

With regard to roads, as we have said, there was nothing of the kind worthy the name. Indian trails were common, but they were unfit to travel on with vehicles. They are described as mere paths, about two feet wide, all that was required to accommodate the single-file manner of Indian traveling. Riding, or walking in companies, it seems to have ever been a national custom with them to follow each other singly.

An interesting theory respecting the origin of the routes now pursued by many of our public highways, is given in a speech made by Thomas Benton, many years ago. It possesses a spice of romance, which, however, does not render it a whit less probable. Indeed, the truth of it is practically demonstrated in many instances. He says the buffaloes were the first road engineers, and the paths trodden by them were, as a matter of convenience, followed by the Indians, and lastly by the whites, with such improvements and changes as were found necessary for civilized modes of travel. It is but reasonable to suppose that those monster beasts, the buffaloes, would instinctively choose the most practicable routes and fords in their migrations from one pasture to another. Then the Indians, following, possessed of about as much enterprise as their predecessors, the buffaloes, made no improvements, and were finally driven from the track by those who would.

Among the many roads in this county known to be only Indian trails at the period of which we are writing, is one from Red Rock to Knoxville, and those traversing the bottoms on either side of the river above and below Red Rock. Under the cliffs south of the river, above town, this trail was so narrow as to barely permit the passage of a horseman between the bayou and the rocky wall. Would it be a great stretch of the imagination to suppose that these paths were made and trodden by thousands of buffaloes passing and re-passing between pastures, long before the Indians came to drive them from their haunts? If so, Red Rock must have

been their fording place hundreds, if not more than a thousand years ago. So, perhaps, were the other fords that have since been in use. The imagination might here paint a wild scene: Standing upon the abrupt bank of the river at Red Rock, on some sultry summer day when the air is still, and the clear, shallow water moves slowly down the sand-margined channel, our ears catch a low, rumbling sound like that of distant thunder, only continuous, and each moment growing more distinct, mingled with the lowings of the herd. Suddenly a grand panorama bursts upon our astonished vision. Emerging from the thick forest, crowding each other as though driven by fright, or impelled by heat and thirst, comes the immense multitude, and without a moment's halt in their peculiar rolling gait, down they plunge over the worn sandy bank and into the river, where they assuage their thirst and lash the waters about them as a protection against annoying insects. Then the advance passes on as the rear presses it, and it soon disappears. Thus for hours they continue to move; and if we grow weary of what may at length become a monotonous scene, we may exchange it for another equally if not more imposing, by stepping out upon the open prairie, a few miles northward, where we find it almost covered by the vast herd, who have sought it as a pasture after having exhausted some other range.

Whilst speaking of roads, it may be deemed proper, though at the risk of being considered tedious, to state that the first county road that we have any record of as being legally established, was established in 1845, and is thus described in the petition asking for it: "To commence at the house of Samuel Nicholson, thence running in a northerly direction so as to strike John Conrey's claim near the south-west corner of it; thence by the nearest and best route to Knoxville." Viewers, John T. Pierce, Reuben S. Lowry and Garret W. Clark; surveyor, Isaac B. Power. The next one was petitioned for in January, 1846, and is described to run "from McPherson's, by way of Durham's ford, to Knoxville;" and the next related to the "re-location of a territorial road where it crosses the

lake in Lake Prairie; thence to the termination of it." About the same year the road from Red Rock, via Burch's mill, to Knoxville was established. The want of technicality in the descriptions of these roads was owing to the fact that the country had not yet been sectionized, which was not done till 1846-7, and then only so far as the west line of that part of the purchase open to settlement in 1843, as described in the introductory; therefore the points named in the descriptions were the best known of any that could be named. Several more road transactions followed these, but they are not of sufficient interest to record here. It was not until a much later period than this chapter is mainly intended to treat of, that road matters began to be looked after with any considerable interest. Next in importance to the possession of a homestead was a good and convenient way to pass to and from it; and its importance became greater as the country increased in population, villages and cities sprang into being, and the lands around them began to be fenced into farms.

At the time of which we are speaking, when the early settlers were compelled to make those long and difficult trips to mill, a portion of the way to be traversed was on the prairie, between Oskaloosa and Blue Point, a stretch of about forty miles, where there was not a house. During the summer, when grass was plentiful, the passage of this comparative desert could be made without much difficulty, by traveling till night, then camping out and feeding the teams on the range; but in winter, an attempt to cross it, without sufficient time to do so by daylight, was attended with no little danger. The road was too obscure to be safely followed at night, and there was no object in the dim horizon to guide the traveler in any certain direction. Though the utmost economy of time was necessary for persons going so far to mill, and who had families at home to feed, they were compelled to time their travel so as to stay a night at either of the points above named going or coming.

When the goal was at last reached, after a week or more of toilsome travel, attended by more or less exposure, the details

of some of which we propose to give in other chapters, and the poor man was impatient to be soon on his return with the needed staff of life, he was often shocked with the information that his turn would come in a week. Then he must look about for some means to save expenses, and he was lucky who could find employment at whatever he could do by the day or by the job. Then, when his turn came, he had to be on hand to bolt his flour, as in those days the bolting machine was not an attached part of the other mill machinery. This done, the anxious soul was ready to endure the trials of a return trip, his heart more or less concerned about the affairs of home; and, as this feeling increased, the miles seemed to grow longer, and the journey proportionately tedious.

These milling trips often occupied from three weeks to more than a month each, and were attended with an expense, one way or another, that rendered the cost of bread-stuff extremely high. If made in the winter, when more or less grain feed was required for the team, the load would be found so considerably reduced on reaching home, that the cost of what was left, adding other expenses, could be safely estimated at from three to five dollars per bushel. And these trips could not always be made at the most favorable season for traveling. In spring and summer so much time could hardly be spared from other necessary labor; yet, for a large family, it was almost impossible to avoid making three or four trips during the year.

CHAPTER V.

AN UNPROFITABLE SEASON—PRIMITIVE MODE OF CLEANING WHEAT—DIRTY BREAD—WOLVES AND OTHER BEASTS OF PREY—FAILURE OF CROPS—BETTER TIMES IN PROSPECT—ERECTION OF FIRST MILL IN THE COUNTY.

The winter of 1843-4 was one of great severity and length, followed by a late spring. The Des Moines river remained closed till the middle of April; then, about the last of May, heavy rains began and continued till the middle of July, so

that what could be planted was but indifferently cultivated. Finally came a keen September frost that cut short what was already much curtailed by late planting and poor cultivation. Some wheat had been sown, but it not only yielded poorly, but was more or less affected by rust and smut; and, owing to the rude manner of threshing and cleaning it, it became compounded with a grit not pleasant to masticate and hard to digest.

As the time may come when the simple modes of threshing and cleaning wheat in use by the pioneers, for the want of better means, may be forgotten, it may be well to preserve a description of them here. Possibly it may never be needed as a recipe, but may some day be regarded as an interesting scrap of history. The plan was, to clean off a spot of ground of a necessary circumference, and, if the earth was dry, dampen it and beat it so as to render it somewhat compact; then unbind and spread the sheaves in a circle, so that the heads would be uppermost, leaving room in the centre to be occupied by the person whose business it is to stir and turn the straw in the process of threshing. Then bring upon it as many oxen or horses as could conveniently "swing around the circle," and keep them thus moving till the wheat was well trodden out. After several "floorings," or layers, were threshed, the straw was carefully raked off, and the wheat shoveled into a heap to be cleaned. This was sometimes done by waving a sheet up and down to fan out the chaff as the grain was dropped before it; but this trouble was frequently obviated by the strong winds of autumn, when all that was needed was the necessary exposure to permit the chaff to blow away.

By such imperfect modes of preparing the grain for flouring, it is not surprising that a considerable amount of black soil got mixed with it, that unavoidably went into the bread. This, with the addition of smut, often rendered it so dark as to have less the appearance of bread than of mud; yet upon such diet the people were compelled to subsist or do without; and

it may be a matter of wonder that this wholesale consumption of dirt did not result in an epidemic.

It may be worthy of record here, that in those days the wheat crop was much more subject to rust than it is now. The reason of this we will not venture to give, but leave it to those whose experience and observation much better qualifies them to do so.

Among other things calculated to annoy and distress the pioneers, was the prevalence of wild animals of prey, the most numerous and troublesome of which was the wolf. While it was true in a figurative sense, that it required much care and exertion to "keep the wolf from the door," it was almost as true in a literal sense. There were two species of these animals,—the large, black, timber wolf, and the smaller gray wolf that usually inhabited the prairie. At first it was next to impossible for a settler to keep small stock of any kind that would serve as prey for these ravenous beasts. Sheep were not deemed safe property till years later, when their enemies were supposed to be nearly exterminated. Large numbers of wolves were destroyed during the first two or three years of settlement,—as many as fifty in a day, in a regular wolf hunt. When they were hungry, which was not uncommon, particularly during winter, they were too indiscreet for their own safety, and would often approach within easy shot of a dwelling. At certain seasons their wild, plaintive yelping would be heard in all directions, at all hours of the night, creating an intense excitement among the dogs whose barking and howling added much to the dismal melody. It has been found by experiment that but one of the canine species, the hound, has both the fleetness and courage to cope with the wolf. Attempts were often made to take them with the common cur; but this animal generally proved himself totally unreliable for such service. So long as wolf would run, cur would follow; but wolf, being apparently acquainted with the character of his pursuer, would either turn and place himself in a combative attitude, or else act upon the principle that "discretion is the better part of valor," and throw himself upon his back in token of

surrender, which strategical performance would so win upon the generous nature of Mr. Cur that peace was instantly made. Not unfrequently dogs and wolves have been seen playing together like pups. But the hound was never known to recognize a flag of truce; his baying, when upon the scent, that sounds like music to the sportsman's ear, seems to say "no quarter!" and the terrified wolf understands it.

Smaller animals, such as panthers, lynxes, wild-cats, catamounts and polecats, were also sufficiently numerous to be troublesome. Of these, as well as of the wolf, none remain except an occasional straggler in the wildest sections of the county, where they may still find a hiding-place. We must except the polecat, who has a strong proclivity for domesticating himself wherever there is a chicken-roost, much to the abhorrence of many farmers' wives, who claim special if not exclusive proprietorship of the feathered stock on the premises.

We think it hardly fair to conclude this list of troubles without mentioning one more that might seem too insignificant to be noticed. But small and contemptible as the mosquito is, she always succeeds in attracting attention, and often very feelingly. This was particularly the fact during the early times of which we are writing, when they came up in such pestiferous swarms, demanding blood in the most imperative tones, that at times neither man nor beast could labor or rest comfortably, except under the protection of smoke. Persons have been driven from the field by their unmerciful charges. But since the country has become thickly settled, and many of the ponds and water-courses that bred them drained, or dried up by cultivation, these little tormentors have been greatly diminished in numbers.

The partial failure of the crop of the summer of 1844, compelled many to resort to the Old Purchase for another year's supply of provisions. A few fortunate ones may have grown enough and some to spare, but the supply came far short of the demand. This discouraging circumstance, together with others already but briefly described, was calculated to drive the struggling pioneers from their purpose; but, so far as we

know, but few abandoned their new homes to return to their old ones. With all their hardships and discouragements the country possessed attractions that fixed their choice, and a fortunate choice it eventually proved to be.

As though dame fortune had repented of the burdens she had imposed upon the people, and was now seeking to make amends, a more prosperous state of things began with the winter of 1844-5. It was one of such unusual mildness that the ground was but little frozen at any time, and plowing could have been done in January. Then came an early spring, and grass enough in April for grazing. That season an abundant crop rewarded the labors of the husbandman. There was no more dependence on the Old Purchase for grain, though it was still necessary to resort to those distant mills to get it ground.

In due time, however, this trouble was also shortened by the erection of flouring mills in Mahaska, and at length in our own county. About the year 1844, Duncan's mill, on Skunk river, north of Oskaloosa, came into operation, and was for several years the most convenient flouring mill. Afterwards Warren's, on the same stream, north of Pella, shortened the distance materially. Then in 1844 Andrew Foster built a saw mill on English creek, in what is now Clay township, to which he afterwards added an apparatus for grinding corn, and this proved to be a great convenience in that department of bread-stuff. To throw a sack of corn on a horse, take it to mill and get home again with the meal, all in one day, was the beginning of a comparatively happy period in the history of that settlement.

About the same time, or probably at a little earlier date, a Mr. Babcock erected a "corn-cracker," near the present site of Bussing's mill. It was afterward moved to Coalport. There was also one on Cedar creek, built and owned by H. Haymaker; and in 1844 or 1845, L. J. Burch erected one on White Breast, that still stands and is used occasionally.

Many others, both for sawing and grinding, were erected in various parts of the county, at later dates. But the most of them were rudely constructed, designed to relieve the press-

ing demands of their neighborhoods. Being water mills they could not be run at all seasons; so, when better accommodations could be afforded, they were abandoned, and some of them are now in ruins. Of these we shall speak more definitely hereafter.

Now, with an increased population and an adequate supply of home productions and machinery, the people of Marion county began to deem themselves sufficiently self-sustaining to support an independent municipality. To this end they applied to the territorial government for a distinct county organization and a name, which were granted in the year 1845. This event marks an epoch in its history, at which we must close this chapter for the purpose of noticing other important events of an earlier date, after which we shall refer to it again with as complete an account as we have been able to obtain.

(To be continued.)

ROBERT LUCAS, THE FIRST GOVERNOR OF IOWA.

We publish as a frontispiece to this number of the Annals, a steel-engraved portrait of Robert Lucas, the first governor of Iowa. To those of our readers who settled in Iowa in her territorial days, this bare announcement will be sufficient to recall the romance of pioneer life as it existed thirty years ago, before railroads and telegraphs were in requisition to maintain magnetic sympathy between the western squatter and his eastern kin. Frontier life, such as it was then, is past and gone forever,—swept away by modern ingenuity and innovation. The log-heap blazing in the clearing, the ax-man's strokes re-echoing in the forest, the yoke-galled ox straining before the unhewn log which, "like a wounded snake, draws its slow length along," to form the settler's cabin, the log house in the grove, the variegated prairie scene of fire, flower or flock, the lazy Indian strolling over the trail or plying the canoe, the prairie sod-house,—these and the like, indeed still have a transitory existence, but are so soon erased by the encroachments of impatient civilization, that all the spice of

primitive life, depending so much for its charms on the romance of danger and long-supported privation, has taken unto itself wings and fled forever.

Robert Lucas, the subject of this very imperfect sketch, was the fourth son and ninth child of William and Susannah Lucas, and was born April 1st, 1781, in Jefferson valley, at Shepherdstown, Jefferson county, Virginia, a few miles from Harper's Ferry, where his ancestors settled more than a hundred years ago. His father, who was descended from William Penn, was born January 18th, 1743, and his mother, of Scotch extraction, October 8th, 1745. They were married about the year 1760, and reared a family of six sons and six daughters. His father, who had served as a captain in the continental army during the revolutionary war, and had distinguished himself at the battle of Bloody Run, emigrated with his family to Scioto county, Ohio, at the very beginning of the present century. In leaving the slave state of Virginia for the free embryo commonwealth of Ohio, which had not as yet been admitted into the Union, the elder Lucas performed one of those noble and generous acts so characteristic of the better class of those who were bred under the patriarchal system in the olden time. He freed every one of his adult slaves who wished to remain in Virginia, and provided for the younger ones, most of whom he took with him to Ohio, till they became of legal age and able to support themselves.

The early education of Gov. Lucas was obtained chiefly before leaving Virginia, from an old Scotch schoolmaster named McMullen, who taught him mathematics and surveying, the latter affording him remunerative employment immediately upon his entrance into the new and unchained country of Ohio.

On the 3d of April, 1810, Gov. Lucas was married at Portsmouth, the county seat of Scioto county, to Elizabeth Brown, who died Oct. 18th, 1812, leaving an infant daughter, who still survives in the person of Mrs. Minerva E. B. Sumner, of West Liberty, Muscatine county, Iowa. After remaining a widower more than three years, he gracefully complied with the admonition, "It is not good for man to be alone," by form-

ing, March 7th, 1816, a second matrimonial alliance;—this time with Friendly A. Sumner, then a captivating young lady of twenty years, a native of Vermont, but who had recently immigrated to Ohio with her father's family from Haverhill, Coos county, New Hampshire, and who still survives him,—a courtly, portly, well-preserved, hospitable lady of seventy-four. Of this marriage, there were four sons and three daughters, of whom two sons and two daughters are living, namely, Edward W. Lucas, late lieutenant colonel of the 14th Iowa volunteers, Robert Lucas, Mrs. Susannah F. Smith and Miss Mary Lucas, the former of whom, with a history similar to that of the early experience of his father, was taken prisoner with his regiment by the confederates, at the battle of Shiloh.

The first public office held by Gov. Lucas was that of county surveyor of Scioto county, the commission from Gov. Edward Tiffin, of Ohio, appointing him such (which is now before us) being dated December 26th, 1803, when Gov. Lucas was in his twenty-third year, and the certificate of the associate judge of the court of common pleas, Joseph Lucas, an elder brother, and which is dated January 3d, 1804, shows that more than one member of the Lucas family were people of standing there in that day. On the 16th of December, 1805, Gov. Lucas was commissioned by Gov. Tiffin, a justice of the peace for Union township, Scioto county, for three years.

His first military appointment was that of lieutenant of militia, also from Gov. Tiffin, and dated at the then capital of Ohio, Chillicothe, Nov. 14th, 1803, authorizing him to raise twenty men to assist in filling Ohio's quota of five hundred volunteers called for by the president to meet an expected emergency in the anticipated refusal of the Spanish officers at New Orleans to give up to the United States the country of Louisiana, ceded to them by the French republic, and which congress had authorized the president to take possession of. His commission, issued subsequently, was as lieutenant of the third company of militia in the county of Scioto, first brigade, second division, and was dated the 24th of May, 1804. He was subsequently promoted through all the military grades to

major general of Ohio militia, which latter promotion was conferred on him in 1818.

The breaking out of the war of 1812 found Robert Lucas a brigadier general of Ohio militia, and as such he had much to do with raising troops and encouraging enlistments for Gen. Hull's northwestern army, then organizing for its disastrous march to Detroit and Canada. About the same time he received notice of his appointment as captain in the regular army, and afterwards (July 6th, 1812) was commissioned and assigned to the nineteenth infantry, but before orders or assignment reached him from Washington, he had obeyed the command of Gov. Meigs, of Ohio, to turn out of his brigade twelve hundred men to march to Detroit, and for himself, with a company of men, to repair to Greenville to watch the movements of the Indians, and subsequently to visit Detroit previous to the army marching. Having volunteered his services in the dangerous capacity of a scout, he started with minute instructions from Gov. Meigs and Gen. Hull, on the 25th of May, 1812, for Detroit, where he arrived on the 3d of June, and returning met the army in the wilderness, to pilot it back to Detroit. Gov. Lucas's elder brother Joseph, whom we have before noticed as figuring as an associate judge, was captain of company I, in Col. McArthur's regiment, which formed a part of Hull's army, and Gov. Lucas was enrolled as a member of this company, though he was a captain, unassigned, in the regular army. But his chief employment was that of a spy, though we find him acting, during this campaign, in various capacities, scouting, spying, carrying a musket, heading the rangers, making assaults, reconnoitering, bringing up trains, piloting the army, &c. On the 12th of July, 1812, the main part of Hull's army, with Col. Lewis Cass at their head, crossed the Detroit river into Canada opposite Detroit, and with them Gov. Lucas, who was one of the first of the invading army to land on the enemy's soil. From July 16th to July 21st, there was constant skirmishing between the American and British forces, especially at a bridge over the river Canaan, five miles from Malden, Canada, where a lively fight

occurred, and much confusion taking place in the American ranks, many of the men called on Gov. Lucas to take the command, which he was obliged to decline, as their own officers were present.

On the 5th of August of the same year, while with a party which was escorting the mail, and going to meet an expected train of provisions, when thirteen miles from Detroit, an attack from treble their number of Indians occurring, and a bloody battle ensuing, Gov. Lucas, who was on this occasion mounted and in command of a part of the force, had his horse shot under him.

On the 7th and 8th of August Hull's army recrossed the river, and on the 16th was surrendered to the British. Previous to the army recrossing the strait, Gov. Lucas had received orders from his proper superior, Col. Miller, of the regular army, to repair to Chillicothe and engage in recruiting for the regular army, but Gen. Hull took the responsibility of countermanding the order, saying he could not spare him. After the capitulation was signed, and the troops ordered into the Garrison to stack arms, and previous to the British taking possession, Lucas learned by the terms of the capitulation that the regulars would be sent by their captors to Quebec, while the volunteers would be paroled and sent home.* He was therefore apprehensive he might be classified as a regular and sent to Quebec, and desired to make his escape, which he did by putting his sword into his brother's trunk, exchanging his uniform for a citizen's dress, and going into the town before the British, who marched past him, but without recognizing him, on their way to the garrison, took possession. He walked about the town taking notes of what was transpiring, for some

* The world is familiar with the expedient resorted to by Gen. Lewis Cass, who was then a colonel, to avoid surrendering his sword. But in doing this he only imitated what others of inferior rank had done before him. Gov. Lucas's diary, which is now before us, mentions that before the arrival of Cass, who was not with the main army at the time of the formal surrender, but absent on an expedition, from which he returned to Detroit the day after the capitulation, several soldiers broke their muskets and one subaltern officer destroyed his sword, to prevent, in their indignation, having to surrender them to the British.

time, and then stepped aboard the *Maria*, which he learned from his friend Maj. Denny, was to convey the volunteers to Cleveland, and which he found by a suffocating odor was ballasted with hides and furs. After lying at anchor opposite Detroit two days, and a dangerous passage of four days, Lucas landed at Cleveland on the 23d, and immediately donned his sword and uniform, which he found safe in his brother's trunk, that had come along with the rest of the baggage, and made his way to his home at Portsmouth, where he found his wife lying sick.

This ended his connection with Gen. Hull, except to appear as a witness against him, by order of the president, when he was arraigned before a general court martial which convened at Philadelphia February 25th, 1813, Brig. Gen. Wade Hampton acting as president, and Alex. James Dallas as judge advocate.

By the terms of his commission as captain in the regular army, he took rank from the 6th of July, 1812, and resigned his commission as such January 2d, 1813, because of its accompanying duties being incompatible with affairs he had undertaken as a military officer of Ohio; in which capacity he thought he could render the country better service than in the contracted sphere of a company officer. His resignation was accepted, but he was very soon afterwards appointed a lieutenant colonel, and subsequently colonel, in the regular army, but again receiving orders which he conceived to be inconsistent with higher duties, he again resigned.

The civil employments to which Gov. Lucas was called by the executive or the people of the State of Ohio were many and some of them the highest in the gift of that commonwealth. We have already referred to his appointment by the Governor to the offices of justice of the peace and county surveyor. At the time of his second marriage in 1816, he was and had been for some time a member of the Ohio legislature, serving successively for nineteen years in one or the other branch of Ohio's general assembly, and in the course of his legislative career presiding over first one and then the other branch. In

1820 and again in 1828, he was elected one of the presidential electors of Ohio. In May 1832, at Baltimore, Maryland, he presided over the first democratic national convention,—that which nominated Andrew Jackson for his second term as president, and Martin Van Buren for vice president. In 1832 he was elected Governor of Ohio, and re-elected in 1834 (defeating Darius Lyman, who ran on the anti-masonic ticket), and declined a third nomination for the same office.

It was while he filled the executive chair that the perplexing and angry controversy arose between Ohio and Michigan concerning the boundary line between these states, and it is a singular coincidence that during Gov. Lucas's administration as Governor of Iowa, the very same controversy, as we shall hereafter see, should have arisen between Iowa and Missouri, to be settled finally, as was that between Ohio and Michigan, according to the claims and views of Gov. Lucas.

Gov. Lucas's early residence, as we have before mentioned, was at Portsmouth, Scioto county. From here, in 1816, he removed to Piketon, Pike county, which continued to be his home till his removal to Iowa in 1838.

(To be continued.)

REPORT OF CAMPAIGN AGAINST MAJOR GENERAL STERILNG PRICE IN OCTOBER AND NOVEMBER, 1864.

WASHINGTON CITY, D. C., January 28th, 1870.

Sir:—I am requested by Inspector General Ed. S. Schriver, to inform you that by direction of Gen. Wm. W. Belknap, Secretary of War, a copy of the official report of Major General S. R. Curtis of his last campaign against General Sterling Price in 1864, has been copied from the records of the War Department and forwarded to your address by express, for publication in the Annals.

By this action of General Belknap a valuable contribution to the war history of Iowa officers and soldiers has been secured, and one which has hitherto remained unpublished. At the time General Curtis completed the manuscript of this report and transmitted it to the War Department, the events which it describes were already old. Lee had but recently sur-

rendered, and the press was crowded with the closing details of the war. Hence the report has hitherto escaped publicity as news, until it is now for the first time to appear in print as history.

Very truly yours,

SAM'L PRENTIS CURTIS.

F. LLOYD, M. D., Editor Annals of Iowa, Iowa City, Iowa.

HEADQUARTERS, DEPARTMENT OF KANSAS, }
FORT LEAVENWORTH, January, 1865. }

GENERAL: I present a general and full report of the circumstances connected with my recent campaign against the rebel General Sterling Price, believing the dangers, incidents, conflicts and final success, deserve a special record.

The former conflicts which I have had with Price's force, made me familiar with his purpose, often declared to his followers, of making another effort to establish himself on the Missouri river.

His recent success on the Red river and at Camden, in Arkansas, inspired him with new energies, and induced him to attempt this design, by following up his campaign through Louisiana and Arkansas, by operating through Missouri and Kansas. He therefore moved northward through Arkansas, with an army of about fifteen thousand men and twenty pieces of artillery, augmenting his forces by conscripting and by voluntary acquisitions induced by a prospect of plunder and revenge. His force was all mounted, and except his conscripts, very well equipped.

I had taken most of my troops far west of the Missouri border, where I had been in pursuit of Indians on the plains, and I had ordered Maj. Gen. Blunt to continue the search beyond Fort Larned, returning myself to these headquarters on the 17th of September, 1864. Most of my forces were therefore engaged in active operations several hundred miles west of the portion of Kansas threatened by Price's movements.

On the day of my arrival I telegraphed yourself, Gen. Rose-

crans and Gov. Carney, the substances of the dispatches concerning Price's movements which I found on my table, from Gen. Thayer and others on the Arkansas, "that Gen. Price with 15,000 men had crossed the Arkansas river near Dardanelle," and suggested to the governor that I might "again have to ask the militia of southern Kansas to aid in checking rebel approaches."

Some field works had been erected on the eastern border of Kansas, and I directed these to be armed and others immediately constructed, making the towns of Lawrence, Olathe, Paola, and Fort Scott, much more secure against raids, and therefore allowing me to use volunteers and militia that would otherwise be needed to guard these places against bushwhackers. I also sent orders to Gen. Blunt to stop his pursuit of Indians and come with all possible speed with such troops as could be spared, to Council Grove, so as to be available against rebel invasion.

The 2d Colorado regiment, stationed in the edge of Missouri, headquarters at Kansas City, had been ordered to report to me, but at the request of Gen. Rosecrans, and in view of their convenient location, I allowed them to remain where they were. The 15th, 16th, and 11th Kansas regiments volunteer cavalry, and fractions of the 3d Wisconsin, were distributed in south east Kansas, convenient for concentration at any time and place.

The battalion of Col. Drake's one hundred day men, whose time was nearly out, and a portion of a new negro battery, all amounting to about four thousand men, was about all the available volunteers that I could command. Fortunately, I had a large number of mountain howitzers attached to my cavalry regiments, and also three or four batteries of field guns, which were ordered forward and in readiness, so that in view of the coming crisis, I had upwards of thirty pieces of artillery ready for any field, and so equipped as to move with the usual rapidity of cavalry. Heavy siege guns were distributed and well arranged at Fort Leavenworth, Leavenworth, Lawrence, Olathe, Paola and Fort Scott.

These preparatory arrangements were in full progress when I received your dispatch of the 24th September, directing me that all my available force not required against western Indians should be thrown south on the Fort Scott routes, and adding:—"Large reinforcements have been sent to the Arkansas to cut off the enemy's retreat."

My reply to you dated the 26th September, informing you that "my main dependence must be on militia if Price's force come westward," was predicated on the well-founded supposition that I could not draw troops from the remote districts of my command (Upper Arkansas, Colorado or Nebraska) in time to meet the probable crisis arising from Price's onward march. Fortunately I had, through the active exertions of Gov. Carney, secured and distributed arms and equipments for a large portion of the militia.

But another difficulty presented itself. The whole country was engaged in the great national and state political campaign, the very crisis of which seemed to culminate with Price's progress through Missouri. Motives, measures and men, were all distrusted. The senators and governor and people, commanding, composing and controlling this militia reserve, were all fiercely engaged in this political strife. No time for using the militia could be more unfavorable. The ballot-box, not the bayonet, was the weapon sought by the militia, and it required the greatest exertions to draw attention of officers and men from the political, to the military necessities of the hour. The work of organizing, arming and mobilizing an army in thirty days, under these circumstances, was therefore a most difficult and perplexing duty, requiring the exercise of responsibilities which I hope will receive the approval, or indulgence of my superiors, to whom I reported by telegraph almost daily.

The enemy steadily advanced from his crossing of the Arkansas on the 8th of September, moving north-east through the state, striking the rich valley of Black river, where he increased and improved his forces by devastating that region of country. Following up that valley through Poca-hontas, he

entered Missouri near the south-east corner, and moved north through the Iron mountain defiles, meeting no resistance until he reached the vicinity of Pilot Knob, Missouri. Here, on the 28th of September, he met a gallant resistance by Gen. Ewing, who repulsed his attack on the fort at Pilot Knob, but subsequently evacuated and fell back, allowing Price to move on to Franklin and Washington, striking the Missouri river at the latter place.

This intelligence of the progress of the enemy came to me through Maj. Gen. Rosecrans, commander of the department of the Missouri, Gen. Thayer, who commanded at Fort Smith, Arkansas, and also from scouts sent out by Col. Blair, who commanded at Fort Scott, keeping me fully informed.

During the period to which I have referred, I was annoyed by a rebel approach under General Gano, who came within seventy miles of my southern line with a large force, and captured a large train at Cabin creek, belonging to Gen. Steele's department. The Indians on the plains also continued to occupy my troops on the overland routes, and alarm the people throughout the territories and western portion of Kansas. As the enemy at Washington, on the Missouri, had reached the turning point of his northern movement (crossing the Missouri not being rational), leaving most of our federal forces in his rear and right flank, his movement westward towards my department seemed inevitable.

Gen. Rosecrans was reinforced by troops under Gen. Mower, Gen. Smith, and hundred day regiments from Illinois, but all these being on the other side of Price, the greater their number the more certain and expeditious would be the movement towards my department. The crisis as to the direction of the enemy's movement occurred about the 2d of October, and I telegraphed Col. Ford, who occupied the district of Kansas City (and therefore my front in view of the approach of the enemy), to send forward scouts and keep in constant intercourse with Gen. Brown, whose district extended down the Missouri, on the south side of the Missouri river. On the same day I was informed that Gen. Fisk had moved from the

north side with a considerable force to save Jefferson City from the enemy. On the 4th I received the following dispatch from Gen. Brown:—

JEFFERSON CITY, 2:50 P. M., October 4th, 1864.

MAJ. GEN. CURTIS:

The rebels are on the road between me and St. Louis, and have cut off all communications. They attacked Herman last evening and had three pieces of artillery. They have captured railroad train and three locomotives. It is said they also captured four steam ferry-boats. If you support me it must be by direct movement down the river as quickly as possible. Am doing all I can to be ready to defend the place, but the situation is bad. I want infantry and artillery. The rebels have a large force. The appearances are that the enemy are moving up the river.

E. B. BROWN, Brig. Gen.

At 3:55 P. M. he added that "Gen. Fisk's commands are moving to my support; when he arrives I shall have six thousand men and eight small pieces of artillery." I telegraphed this intelligence through various routes to Gen. Rosecrans, but lines being down could get no intelligence through. I took the liberty to suggest to Gen. Brown, that "Price should be checked at the Gasconade river bridges, and boats on the Gasconade and Osage should be beyond all possible use to him. Destroying an eastern span of railroad bridge may be necessary. River too low and boats too scarce for my movements. Rains will raise streams and Price must be captured. Do not allow your force to be captured. If too small, better fall back, but stand as long as you can safely."

On the 5th of October, learning that Price had crossed the Gasconade, I wrote the Governor of Kansas, urging the immediate call of the militia, which letter was subsequently made part of his proclamation, and will be set out in this report.

CHAPTER II.

MOVEMENT TO FEEL AND EMBARRASS THE ENEMY.

Gen. Fisk advised me of his junction with Gen. Brown at Jefferson City on the 5th of October, and also desired me to send him a battery. On the 6th he reported his advance, in

skirmishing had met with some loss, and the enemy was coming forward. Gen. Rosecrans telegraphed as follows:—

HEADQUARTERS, ST. LOUIS, Oct. 6th, 1864.

MAJ. GEN. S. R. CURTIS:

You will wish to know our latest. Ewing blew up Pilot Knob and made good retreat to Rolla with his battery, losing only killed, wounded and stragglers by the way. Price was reported crossing the Gasconade yesterday, on the old stage road to Jefferson City. McNeil and Sanborn, finding their aim, moved their mounted forces to Jefferson City, and will hurt Price directly.

W. S. ROSECRANS, Maj. Gen.

Col. Chester Harding, with four hundred and fifty men, arrived from St. Joseph on steamer West Wind, and I directed Maj. S. S. Curtis to take the steamboat Benton and assist in the effort to get this force forward, reconnoitre the country and bring away stores from Lexington.

All boats were directed to protect their pilot houses and engineer's rooms, and these boats were especially guarded and directed to move with great caution if they proceeded below Kansas City, which they did. This movement was retarded by low water, and rebel force in front checked their further progress at Glasgow, where Col. Harding took the command and tried to hold the position. Meantime the enemy moving west of Glasgow, Maj. Curtis, with the Benton and a few soldiers and the crew, fought their way back, reporting the position and progress of Price's army. The report of Maj. Curtis marked "A," shows the thrilling incidents of this expedition, when several of the enemy were killed and wounded, and we saved the boat and crew with only one man wounded.

On the 7th I received the following from Gen. Fisk:—

JEFFERSON CITY, October 7th, 1864.

MAJ. GEN. CURTIS:

We have fought the enemy sharply from the Moreau bridge on the Bolton Ferry road, doing them considerable damage. Our loss as yet considerable. We are withdrawing into the trenches. A large force investing. No news of reinforcements. Will give them the best fight we can, and may God give us victory.

CLINTON B. FISK, Brig. Gen.

On the 8th I wrote Gov. Carney, urging the proclamation

calling out the militia. He had personally urged the reasonable probability that the force under Gen. Rosecrans would be sufficient to overwhelm Price before he could reach us, and very earnestly hoped that the great expense and inconvenience of a general call of the Kansas people might be averted. But the advance of Price continued, leaving Jefferson City on his flank, without any great effort to take the gallant troops that held it, and on the 9th of October the governor of Kansas issued his proclamation, which I immediately promulgated in the following general orders:—

HEADQUARTERS, DEPARTMENT OF KANSAS, }
FORT LEAVENWORTH, October 9, 1864. }

*General Order }
No. 53. }*

Governor Carney has issued a proclamation calling out the militia of the State, as follows:—

PROCLAMATION BY THE GOVERNOR.

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }
TOPEKA, October 8, 1864. }

The state is in peril. Price and his rebel hosts threaten it with invasion. Kansas must be ready to hurl them back at any cost. The necessity is urgent. The extent of that necessity, the subjoined communication from Maj. Gen. Curtis to me will establish:—

HEADQUARTERS, DEPARTMENT OF KANSAS. }
FORT LEAVENWORTH, October 5th, 1864. }

HIS EXCELLENCY, GOV. THOMAS CARNEY:—

The rebel forces under Gen. Price have made a further advance westward, crossing the Gasconade, and are now at the railroad bridge on the Osage, about fifteen miles below Jefferson City. Large federal forces about St. Louis and below, tend to drive him towards Kansas. Other motives also will induce his fiendish followers to seek spoils and vengeance in this state. To prevent this and join in efforts to expel these invaders from the country, I desire that you will call out the entire militia force with their best arms and ammunition, for a period of thirty days. Each man should be provided with two blankets or a buffalo robe for comfort, and a haversack for carrying provisions. No change of clothing is necessary. I want this force assembled on the border mainly at Olathe, as soon as possible. For that purpose let farmers' teams, with provisions and forage, be employed to hurry them forward.

I will do all in my power to provide provisions and public transportation, but hope every man will be as self-sustaining as possible, and ready to join me in privations, hardships and dangers, to aid our comrades in Missouri in destroying these rebel forces before they again desolate the fair fields of Kansas.

It is necessary to suspend business and labor until we are assured our property and earnings are not within the grasp of unscrupulous marauders and murderers. Confidently believing, governor, that your excellency and all loyal citizens will concert with me in the propriety of this very important demand, and give me your hearty co-operation and assistance, I have the honor to be,

Your very obedient servant,

S. R. CURTIS, Maj. Gen. Com'd'g Dept.

UNITED STATES MILITARY TELEGRAPH, }
FORT LEAVENWORTH, October 8, 1864. }

To Gov. CARNEY:—

The line is now cut this side Sedalia. This indicates a rebel move by somebody west or south. Hurry up the militia.

S. R. CURTIS, Maj. Gen.

UNITED STATES MILITARY TELEGRAPH, }
FORT LEAVENWORTH, October 8, 1864. }

To Gov. CARNEY:—

I request that you issue the call. Let the militia turn out; if not needed they will of course be discharged. Their call and collection would enable us at least to give an impetus to Price's departure. In your prompt responses to my requests heretofore, I am sure we have saved the state from desolation; let us do it now. The enemy is now near Sedalia, and a fight is expected there to-night. They have burned Syracuse, Lamine and Otterville depots to-day. You see they seem moving westward—delay is ruinous.

S. R. CURTIS, Maj. Gen.

Kansas, rally! You will do so as you have always promptly done when your soil has been invaded. The call this time will come to you louder and stronger, because you know the foe will seek to glut his vengeance upon you. Meet him, then, at the threshold, and strike boldly—strike as one man against him.

Let all business be suspended. The work to be done now is to protect the state against marauders and murderers. Until that is accomplished we must lead a soldier's life and do a soldier's duty. Men of Kansas, rally! One blow,—one earnest, united blow, will foil the invader and save you. Who will falter! Who is not ready to meet the peril! Who will not defend his home and the state! To arms, then! To arms and the tented field until the rebel foe shall be baffled and beaten back!

THOMAS CARNEY, Governor.

N. B. Maj. Gen. Deitzler will lead the brave men of Kansas and issue the necessary orders. Commanding officers of brigades and battallions will see that their respective commands are in readiness for immediate service.

THOMAS CARNEY, Governor.

MAJ. GEN. DIETZLER'S ORDER.

In pursuance of this call of the governor, the militia of Kansas will turn out and rendezvous immediately as follows :

HEADQUARTERS DEPARTMENT KANSAS STATE MILITIA, }
TOPEKA, KANSAS, October 9th, 1864. }

General Order }
No. 54. }

In pursuance of the proclamation of the commander-in-chief of the 8th inst., the militia of Kansas will turn out and rendezvous immediately at the points indicated below :—

Doniphan, Brown, Nemaha and Marshal counties, at Atchison, under Brig. Gen. Byron Sherry.

Atchison, Leavenworth, Jefferson, Jackson, Pottawattamie, Riley, Davis, Waubunsee, Shawnee, Douglas and Johnson counties, at Olathe, under Brig. Gen. M. S. Grant.

Wyandotte, at Wyandotte, under Maj. E. S. Hubbard.

Miami, Osage, Franklin, Morris and Lyon counties, at Paola, under Brig. Gen. W. H. M. Fishback.

Linn, Anderson and Coffee counties, at Mound City, under Brig. Gen. S. N. Wood.

Bourbon, Allen and Woodson counties, at Fort Scott.

Commanders of brigades and regiments will promptly prepare their respective commands for active service for thirty days, unless sooner discharged, and see that each man is supplied with two blankets, a tin cup, knife and fork, and a haversack, and also a coffee-pot and frying-pan for every five men.

Let each regiment and detachment bring its own transportation and all the rations possible, but there must be no delay on any account.

The general government will undoubtedly pay all proper charges for such transportation and supplies, and will furnish rations and forage as far and as soon as possible, at the points indicated in this order.

Let each man come with such arms as are at hand, and a full supply of ammunition. As this campaign will be a short one, no change of clothing will be necessary.

Until further orders the headquarters of the militia will be at Olathe, to which point all returns and communications will be sent.

By order of

GEO. W. DEITZLER, Maj. Gen. K. S. M.

JOHN T. MORTON, A. A. G.

All federal officers in this department will aid in giving circulation and success to this effort to concentrate troops for immediate service. Quartermasters and commissaries will aid to the utmost of their abilities to have requisite provisions accumulate as fast as possible. An earnest and united movement should animate officers and men, volunteers and militia.

Let business and personal strife be suspended, partisan discussions and

political animosities avoided; and instead of impatience, fault-finding and detractions too common among raw recruits, let every man display the fortitude, patience and endurance, which distinguish the patriotic soldier engaged in the defence of his home and his country.

The sooner this call is met, the more certain will be its success, and the general earnestly appeals to soldiers and citizens to unite all their moral and physical energies in this effort to stifle the fiendish hordes that again threaten the people of Kansas and the peace of our country.

By command of Maj. Gen. Curtis.

C. S. CHARLOT, Asst. Ad't Gen.

OFFICIAL: Asst. Adj't Gen.

Some defects in the militia law had on former occasions troubled officers in the enforcement of their calls. There was also a large colored population, and many of certain ages that were exempt from the militia organization. I therefore determined to strengthen the force and effect of the governor's call, by proclaiming martial law in Kansas, and in the neighborhoods where I expected to confront and pursue the enemy. For it is proper for me to say that my experience in a former campaign against Price, made under your immediate orders in the winter of 1861-2, induced the theory and execution of my plans for confronting and pursuing him on this occasion, and although my force seemed irregular and inadequate, I was inspired with singular confidence in the manner and matter of my success. In further efforts therefore to rally an adequate force, I issued the following order declaring martial law:—

HEADQUARTERS DEPARTMENT OF KANSAS, }
FORT LEAVENWOTH, KANSAS, October 10, 1864. }

General Orders }
No. 54. }

The better to carry out the object of the governor's proclamation issued this morning, and to secure prompt and united military organization and action, martial law is proclaimed, to extend throughout the state of Kansas and the country occupied by the troops moving therefrom; and all men, white or black, between the ages of eighteen (18) and sixty (60) will arm and attach themselves to some of the organizations of troops, for temporary military service.

In all the principal cities and towns business houses will close as directed by the governor's proclamation, except where general officers may give leave to such houses and special establishments as may be considered necessary for the public subsistence and health.

As this order is only designed to continue while danger of invasion is apprehended, the proper functions of civil officers will not be disturbed, and especially courts of justice, and their processes will not be interrupted by the military authorities.

All troops, volunteers and militia, are clothed with the powers, and are subject to the duties and penalties prescribed in the articles of war, and soldiers and citizens must expect very summary punishment of crime; and burning, robbing and stealing in the field, will be severely and promptly punished. Private property and peaceable citizens must be protected. Our object is Price and his followers. His forces are now reported as retreating from Jefferson City in this direction. My advance to meet him is already moving. Let troops of every organization press forward to join in his repulse and pursuit.

By command of Maj. Gen. Curtis.

(Signed)

C. S. CHARLOT, Asst. Adj't Gen.

OFFICIAL: Asst. Adj't Gen.

These efforts aroused the whole people. Business was immediately suspended, and militia everywhere began to move and organize. All intelligence of the enemy's movements was published, and the excitement was intense and universal. I ordered Col. Ford to take position at Pleasant Hill, sending scouts forward in all directions, to determine the position of the enemy. Gen. Blunt was ordered to Paola to take command of the district and in the field. I also sent you the following dispatch by telegraph:—

FORT LEAVENWORTH, October 10, 1864.

MAJ. GEN. H. W. HALLECK, Washington, D. C.:—

Being informed by General Rosecrans that the rebel Gen. Price is coming from Jefferson City, Gov. Carney at my request has called out the militia, and I have declared martial law, to secure prompt organization and unity of action. Telegraph lines are interrupted east of Independence, but my pickets in advance of that, report only scattering foes. Shall soon have large force on the border or be moving beyond. Will take the field to-morrow, but will try to keep within telegraph communication.

S. R. CURTIS, Maj. Gen.

I also informed Gen. Rosecrans that the militia were collecting, and my purpose to give Price a warm reception if he comes this way. In further preparation of field operations I published the following order announcing staff officers, and also gave special directions to Brig. Gen. T. J. Davis, concerning the completion of certain defences in his district, which in

cludes this post, and the country north of the Kansas river, with directions to remain in his district and guard against dangers in my rear, which some thought would be assailed by a rise in north Missouri, aided by a portion of Price's troops that had crossed to the north side of the Missouri, and taken Col. Harding's force at Glasgow:—

HEADQUARTERS DEPARTMENT OF KANSAS, }
FORT LEAVENWORTH, KANSAS, October 10, 1864. }

General Order }
No. 55. }

The following temporary assignments to duty are published to the command. They will be obeyed and respected accordingly.

I. Major F. E. Hunt, chief paymaster, is also appointed acting aid-de-camp, and will take charge and command of all artillery in and near the county of Leavenworth, consistent with the general arrangements of district commanders Gens. Blunt and Davies.

II. Maj. Henry Almstedt, in addition to his duties as additional paymaster, will report to Maj. F. E. Hunt, for artillery duty.

III. Hon. Jams H. Lane having tendered his services to the Major General commanding, they are accepted and he is assigned to duty as volunteer aid-de-camp.

IV. Capt. James L. Rafety, 2d Kansas colored, having reported for duty, will take charge of the general organization and command of persons of African descent. All of proper age and ability are included in the proclamation, and will be organized as other troops, for immediate service.

V. Capt. J. M. Mentzer, 2d Kansas volunteer cavalry, reports being here *en route*, and unable to reach his command. He will report for temporary duty to Brig. Gen. F. A. Davies, commanding district north Kansas.

VI. Rev. J. B. McAfee, chaplain 2d Kansas colored, having reported for duty, will have charge of contrabands in the field, and will also report to Capt. Rafety as acting adjutant, in the organization of troops of African descent.

By command of Maj. Gen. Curtis.

(Signed)

C. S. CHARLOT, Asst. Adj't Gen.

OFFICIAL: Asst. Adj't Gen.

The governor and Maj. Gen. Deitzler called on me to ascertain my purpose as to taking the militia out of the state, expressing apprehensions of difficulty on that point if such was my purpose. They also informed me that expressions of some of my officers had led them to distrust the whole matter of the militia movement, supposing it might be a political scheme, gotten up by some around me to transport the people

beyond the convenient exercise of their elective franchise, which would come off early in the next month. These were shocking enunciations. I assured these officers that in all human probability we might have to go beyond the state lines, and I considered my proclamation of martial law and call, sufficient to cover the legal point as to the militia going beyond the border; but the raising of the question was of itself a great element of discord and danger. As to any attempt to defraud the ballot-box, such an idea had never been mooted in my presence or entered my brain, and I pledged my honor that the militia should go no farther than necessary to repel or avert the approaching danger to the state. My manner and matter appeared to assure these officers, who, by their position and influence held, as I conceived, the destiny of the state and department, within their own hands.

I name this not to complain or reproach these officers, but because such sentiments were the natural offspring of the political crisis and separate state organizations of all our militia. These difficulties, candidly presented by these high state authorities, were material, formidable obstacles, which I and they had to encounter. They are inherent objections to the military organization of national forces, and I report them as developments incident to the events of this revolution, and important in the progress of this campaign against the rebel Gen. Price.

Being assured of my purpose, these officers promised hearty co-operation, and gave immediate orders for the militia to proceed to points designated near the border. I also ordered the immediate concentration of the federal troops which had been previously prepared, to unite in the campaign. My arrangements for collecting an army were thus completed on the 10th of October, but none of the forces were fairly in the field.

CHAPTER III.

MOVEMENTS IN THE FIELD.

I present a skeleton map of the country extending from the Missouri to the Arkansas river, through which I moved

with my command, showing also the movements of the enemy in his approach and retreat, and the positions of the military posts and towns that were near the lines of operation. This map, carefully prepared by my engineer from notes taken in the field, also shows the state and department lines, and the lines followed by the main forces, red representing federal and blue the rebel movements. Flanking operations by both belligerent forces extended on either side, but are not laid down. Cross sabres represent the places where battles occurred, and the whole map gives a true representation of important places, without the confusion of irrelevant details.

On the 11th of October, accompanied by a portion of my staff and escort (company "G," 11th Kansas, commanded by the gallant Capt. Gove), I started on the campaign. Passing through Leavenworth and south of the city, I saw the militia mustering and moving, and other matters of business generally suspended.

October 12th, at 12 o'clock, I arrived at Olathe, where most of the troops were ordered to assemble, but none had yet arrived. I also found water and wood so scarce I determined to take a more advanced position, nearer the state line at Shawnee, and therefore so directed forces of all kinds.

Forces at Paola under Gen. Blunt were ordered to move towards Hickman's mill, in Missouri, and to "send out due east from Paola sixty miles or more, to know whether Price moves south." The militia from Leavenworth and Lawrence came up towards night, the former having overdone themselves, and from all directions the news of moving militia was reported.

Maj. Gen. Deitzler, commanding the militia, joined and accompanied me to Shawneetown, where we arranged the militia camps in that vicinity fronting towards the Missouri line, and extending as circumstances required. Turkey creek was especially convenient for a line of defense, and was occupied as such. This rendezvous was very near the state line, in a thickly wooded country near the Kansas river, and in this and other respects a strong and convenient position, where the

Kansas militia were on their own side of the line. I moved my own headquarters to Wyandotte.

On the 13th I received a dispatch from Col. Eno, informing me that Gen. Rosecrans had taken the field the day previous, *en route* to Jefferson City. Price's forces were between Boonville and Lexington, still moving westward. The same dispatch reported the enemy as having moved 2,500 men north of the Missouri river, to attack the Hannibal and St. Joseph railroad, and another report came from the west that Standwatie with 5,000 men was near Humboldt, threatening southwest Kansas.

These reports were calculated to check the movement of the militia and greatly embarrass the organization of my army. I pronounced the first improbable, and the latter as "undoubtedly a roorback," and so telegraphed to north and south districts of Kansas, where much excitement was induced by the rumor. Here senators Lane and Pomeroy had both joined me as volunteer aids, and I found both of these men of great service in giving correct intelligence to the wavering public mind, and in suppressing false impressions.

Pursuant to the foregoing preliminary movements, the militia were collected at and near Shawneetown, the left wing under Maj. Gen. Deitzler, K. S. M. Volunteers and other militia constituting my right wing, under Maj. Gen. Blunt, U. S. V., at Hickman's mill. The former was directed to demonstrate towards Lexington and the latter towards Warrensburg, so as to feel the enemy's approach.

My own headquarters were generally at Wyandotte and at camp Charlot, near Kansas City, but I made a reconnoissance of the country in person, through Independence and Hickman's mill, ascertaining to my own satisfaction that the Big Blue should be a first main line of battle, Kansas City a second, and finally, if overpowered, Wyandotte on the north side of the Kansas river, connected by a floating bridge, would be a dernier resort.

I directed my chief engineer, Lieutenant Robinson, to con-

struct field works at each of these positions in view of this plan, and attend to the proper organization of guns and light garrisons, which could be spared for these positions.

Colored troops and citizen guards of Kansas City and Wyandotte, made efficient and proper troops for this purpose, and Lieut. Robinson, assisted by ————, civil engineer of Kansas City, deserve special commendation for their efforts and success in these defenses.

Lawyers, doctors, divines and merchants, entered the service, and I found them working faithfully on these field-works about Kansas City and the Big Blue.

I here present another map showing the country near Kansas City, where troops and camps were located on both sides of the state line.

But a few days of delay while forces were coming and Price approaching, were sufficient to weary some, and induce doubts in the minds of many. A report was circulated that Price had gone south from Warrensburg and escaped, and some of the militia actually turned homeward. Some severe measures and much remonstrance was necessary to retain those who came first, till those who came last had fairly arrived. Some of the newspapers took up the theme, and denounced the call, and especially martial law, which suspended business and forced citizens to the field without equipments, at an inclement season when there was no occasion.

To meet this complaint and retain the militia, I made great efforts through my volunteer aids to diffuse correct intelligence, and I also distributed blankets, and camp equipments to some extent, thereby administering a little to the wants and real suffering of men exposed to the rain and cold without covering. I also published dispatches from Gen. Rosecrans and others, showing the steady approach of the enemy towards Kansas, and his declared purpose to take Kansas City and Leavenworth, and devastate the country everywhere.

This is one of Gen. Rosecrans dispatches:—

JEFFERSON CITY, October 14th, 1864.

MAJ. GEN. CURTIS:—

Our cavalry is pursuing the enemy north-west of Georgetown, who is reported moving towards Lexington. We shall occupy Sedalia with infantry to-morrow night. If you could move by Hickman's mill and Pleasant Hill, or by Independence to Lone Jack, it would greatly increase our chances of damaging Price, whose columns are of such length when on one road, as to be very vulnerable. If he does not halt he will reach Lexington to-morrow night.

W. S. ROSECRANS, Maj. Gen.

I reported to you by telegraph, as follows:—

ARMY OF THE BORDER, HEADQUARTERS IN THE FIELD, }
KANSAS CITY, MISSOURI, October 14th, 1864. }

MAJ. GEN. HALLECK, Chief of Staff, Washington, D. C.:—

My forces are being concentrated in this vicinity. The enemy has approached to Independence, burning bridges beyond, but he has not occupied in force. I occupy Hickman's mill, Missouri, and Shawneetown, Kansas, with fighting force and scouts forward. Shall move slow to allow my rear to close up. Have not an operator with cypher, and therefore abstain from giving numbers and particulars.

Price is reported near Lexington or Booneville, moving this way. I denominate my forces "the army of the border," and will do all I can to make it felt by the foe.

S. R. CURTIS, Maj. Gen.

My purpose to move further forward in accordance with this dispatch and Gen. Rosecrans' suggestion, was prevented so far as the main force of the militia was concerned, in consequence of the aversion many of them expressed as to going beyond their own state line. Hearing that boats below had aided the rebels in crossing troops, I directed the following order:—

HEADQUARTERS DEPARTMENT OF KANSAS, }
FORT LEAVENWORTH, October 15th. 1864. }

General Order }
No. 56. }

Commanders and owners of steamboats and ferry boats on the Missouri river, in this command, will see that their boats do not fall into rebel hands, in a condition for rebel service, under the sure and swift penalty of the loss of boat and the forfeit of the life of the commander and pilot.

By command of Maj. Gen. Curtis.

W. H. STARK, Acting Asst. Adj't Gen.

OFFICIAL: Asst. Adj't Gen.

I was thus prepared and ready for the enemy's approach. Gen. Blunt was directed to demonstrate towards Pleasant Hill and Warrensburg, Gen. Deitzler towards Independence and Lexington, each sending out cavalry to ascertain the line of his approach, and harrass his advancing columns.

My own movements at Kansas City and Independence gave me convenient opportunities to observe the movements in advance, and also supervise the main forces arranged on the Big Blue and the border.

Maj. J. N. Smith, of the 2d Colorado, advanced with about three hundred cavalry on the telegraph road from Independence, dashing into Lexington on the 17th, a little after sunrise, but found the town unoccupied, the enemy's pickets having fallen back before, and on the occasion of his approach. Sending out scouts he found the enemy's pickets about six miles south-east, which was attacked, killing one and wounding two. This and other important intelligence of the presence of the main force of the enemy, was reported by this gallant officer on the 18th, through his proper commanders. He fell fighting at Little Blue, two days after, and I submit this, his last report, marked "C," as a reminiscence of a gallant soldier whose character is displayed in this daring advanced movement, and expressed in this, his last report.

On the day previous Gen. Deitzler reported at Independence the murmurs and doubts of the militia and their refusal to cross the line, until he made them a speech, assuring them that they "should not be ordered too far into this state," and Col. Blair reported that some of the militia regiments at Hickman's mill, believing that Price had taken another route, had actually started homeward, but were checked by prompt, stringent orders, enforced by Gen. Blunt.

I also received the following dispatch from Gen. Rosecrans:—

JEFFERSON CITY, October 18th, 1864.

MAJ. GEN. CURTIS:—

As I telegraphed you last night, division of infantry occupy Sedalia. Our cavalry at Duncksburg on the Black Water. As soon as they get ra-

tions they will move forward. Price reported to have stayed night before last at Waverly. Mower's division will be at Lamine bridge to-night, with its batteries probably fit for action. Sanborn will have received supplies to-day, by 12 M., and will move his right by Elmwood and Elkhorn, and his left by Cook's store, towards Lexington.

With these dispositions combined with yours, it seems to me we can push the old fellow and make him lose his train. His horses' feet must be in bad order for want of shoes.

W. S. ROSECRANS, Maj. Gen.

I directed publicity in the newspapers, of most of this intelligence, to convince the militia of what they considered very incredible—the advance of Price towards my command; and I insert them here, not to reproach anybody, but to show why I was obliged to stand on the border or near it, rather than go forward with my whole force to meet Price, as I would have preferred to do, in the vicinity of Lexington, Missouri. I also do it to show that even among ardent, loyal militia, state lines and state sovereignties greatly embarrass military operations.

The evidence brought by Maj. Smith, showing clearly the presence and progress of the enemy near Lexington, was not clear enough, and some of the newspapers of the 19th came out denouncing the whole thing as a fraud or fallacy, and expressing a belief that Price had left the country.

In the mean time Maj. Gen. Blunt had advanced with about two thousand cavalry and several pieces of light artillery (mountain howitzers), arriving in Lexington on the 18th, the day after Maj. Smith had occupied the place. He had followed the Warrensburg road until he was confident that Price was not coming that way, and therefore he moved northward, where his presence was ascertained. Sending forward scouts from Lexington the enemy was felt on the 19th, approaching on different roads in great force. Our troops offered a stern resistance, falling back slowly and in good order, fighting several hours and doing considerable damage to the enemy with small loss on our side. The enemy displayed his main force, and this stubborn and gallant stand by Gen. Blunt developed the strength, position and progress of the enemy so clearly,

that its publicity throughout our lines on the 20th, assured and re-animated the militia, and secured me that unity of sentiment and will which before I had failed to secure in the "army of the border."

For full details of this battle of Lexington I respectfully refer you to the report of Gen. Blunt who was in command, and to the reports of his subordinate commanders, Cols. Jennison and Moonlight, and also Hon. Senator Lane, of my volunteer staff, who accompanied and participated in this first conflict between my forces and the enemy. Gen. Blunt, as directed by me, fell back to my headquarters at Independence, leaving Col. Moonlight, who had covered the retreat, to remain as a picket at the Little Blue, with arrangements to burn the bridge on the approach of the enemy, to embarrass his progress.

BATTLE OF LITTLE BLUE.

It was not my intention to give battle on the Little Blue, as will be seen by my letter of instructions to Gen. Blunt, as follows:—

HEADQUARTERS ARMY OF THE BORDER, }
INDEPENDENCE, October 20th, 1864. }

GENERAL:—

I have not time to explain. Your troops must take position here where dry corn and provisions are arranged. The militia will not go forward, and the Big Blue must be our main line for battle. We must not break down our best regiments, 11th, 15th and 16th, and Ford's must have some rest. Leave two howitzers, and, say four hundred men, at the Little Blue and come back yourself with the remainder.

Probably Moonlight had better be left in command of that point, not to fight a battle, but to delay the rebel approach, and fall back to our main force. I will now be able to bring forward to Kansas City a respectable force. We must pick our battle ground where we can have united councils as well as a strong position. This we are securing at Big Blue and elsewhere.

The blow you gave the enemy is doing good in the rear. It is crushing some of the silly rumors that had well nigh ruined my prospects of a successful defense.

Truly yours,

S. R. CURTIS, Maj. Gen.

To GEN. BLUNT, in the field.

This was in response to Gen. Blunt's dispatch dated "Nine miles east of Independence, 8 o'clock A. M., October 20th," in which he suggested other arrangements.

Gen. Rosecrans was fully informed and responded from Sedalia, 5:40 A. M. the 20th, saying,—“Your dispatch of 4:30 received. I will push my forces on Lexington with all possible speed.”

About 9 o'clock in the morning of the 21st, I received intelligence that the enemy had attacked Col. Moonlight at the Little Blue, where he was resisting their passage of the stream, although by some accident he had failed to destroy the bridge.

I immediately proceeded with my escort to reconnoitre the premises, giving permission, rather than ordering, that Col. Ford's regiment, McLain's battery, and a portion of the regular cavalry under Gen. Blunt, might accompany me to the front, expecting to meet Col. Moonlight in retreat. - But this gallant officer stood his ground until we arrived, and developed most of the force I have named.

I directed Capt. McLain to form his battery behind the crest of the hill so as to fire over, and against heavy artillery firing of the enemy, that passed high over our heads, but did some damage to troops deploying in our rear.

Col. Jennison's brigade and that of Col. Ford, soon occupied advanced positions and made a desperate resistance to the rebel advance, which had by this time began to deploy on the west side of the stream. Gen. Blunt and my staff were active in directing a proper disposition of forces. By this means we checked and drove back the enemy's advance, but as he soon began to outflank us on both sides of the road, I directed the force to fall back, designating positions for the artillery to make a stand at the various and elevated angles of the road which passes through a timbered country. Many incidents in the conflict are detailed by my subordinates and those of Gen. Blunt.

Maj. R. H. Hunt, chief of artillery, took direction of my escort and four howitzers, doing signal service in the hottest of the fight, and only fell back by my orders when I saw we

were being outflanked. The details of his report deserve repetition. He says,—

“By your direction I placed McLain’s battery in position and opened fire on the enemy, with what result I cannot state. I also placed two mountain howitzers, connected with your body guard, in position in the open field, but finding it too much exposed to the enemy’s sharpshooters, I directed an advance with two additional howitzers of the 11th K. V. C. They took position in shelter of a friendly house, supported on the right by Col. Ford—had no support on the left. As I met the 11th retreating, and saw Maj. Ross, and begged him to have Col. Moonlight to retrace his steps and support me, which he did. Artillery opened on the enemy with canister and spherical case, at short range, and drove them back like sheep. Here is where Maj. Smith sacrificed his life in behalf of his country. Col. Ford asked when I would retreat; I replied, when he would. He remarked, although we drove the enemy from our front, they were flanking us. At this juncture I received from the commanding general orders to fall back, which was just in the nick of time.

We retreated firing, keeping the foe at a respectable distance. Lieut. Gill, of your body guard, lost fifteen horses out of forty, and Capt. Johnson, of the 11th K. V. C., lost several. * * * The last artillery firing was by Lieut. Gill, supported by cavalry portions of your body guard, and commanded by the lamented Capt. Gove.”

Although sick, Capt. Gove remained in command of my escort till entirely exhausted, reluctantly leaving me after our subsequent victory at Westport, where he soon fell a victim to his disease, the result of his extraordinary exertions and gallantry.

Col. Ford, speaking of the conflict in his brigade, says:—

“Left Independence at 10 o’clock A. M., and reached Little Blue in about one hour. I there received orders to place the 16th Kansas cavalry on the left of Col. Moonlight’s brigade, the battery near the centre of the line, and the 2d Colorado

on the right. We immediately dismounted and advanced into the bluffs and became at once engaged, the enemy having crossed the stream before our arrival.

"We held our ground, advancing slightly for some time, and at one time drove the enemy in great confusion, but his forces being too overwhelmingly large, he threw a large body to the right, which compelled our right to give back slowly."

Col. Jennison, who also commanded a brigade, reports concerning this affair of the Little Blue, as follows:—

"On the 21st of October, the enemy having advanced from Lexington, met the 2d brigade at the Little Blue, at an early hour in the morning. The 1st brigade was therefore ordered to the front, and immediately from Independence to the field, where it arrived about 11 o'clock A. M., taking position on the right. * * * In this engagement the 15th regiment, Lieut. Col. Hoyt, and the 3d Wisconsin cavalry, Lieut. Col. Pond, were dismounted and disposed in advantageous position, which had hardly been accomplished when the lines were fiercely assailed by the enemy at all points, and the contest became extremely spirited, though from the nature of the ground and the protection of our timber, the casualties were not heavy. For some hours the engagement was maintained with varying results, our lines alternately falling back and advancing, the howitzer battery being actively, and apparently effectively engaged, until it became evident that the enemy was numerically superior to such an extent that it would be impossible to hold the ground, and a retrograde movement was commenced in the direction of Independence."

Col. Jennison speaks very favorably of the conduct of Lieut. Col. Hoyt and Maj. Laing, and deserves much credit for his own gallantry during this day's contest.

Col. Moonlight, who was left to retard the movement of the enemy, and therefore began the fight at the Little Blue, reports as follows. After stating his force, only ten companies, he says,—

"It was no very easy matter to hold an enemy so numerous and active, all being cavalry. Maj. Anderson, of the 11th, with two companies, had command of the bridge, which he set on fire and held until it was fairly burning, after which he fell back on the hill and joined the command, who then opened on the enemy. Capt. Greer with his company, "I," 11th, had been stationed at a ford one mile below the bridge, with instructions to hold the enemy as long as possible. He retired without firing a shot, but claims that it was impossible to do otherwise, as the enemy were crossing at all points.

"Being thus menaced on all sides, and the object for which I was left accomplished, the command slowly fell back two miles, fighting. A favorable piece of ground here presenting itself, a new line of battle was formed on the left of the Independence road, and we slowly began to drive the enemy back over the ground again, dismounting every man for the purpose of shelter, behind stone walls, fences and houses, some of which were then held by the enemy, who after a vigorous assault were dislodged, thus affording us an advantage, which accounts for the few killed on our side compared with that of the enemy, who suffered terribly."

Col. Moonlight covered the retreat, even skirmishing after dark, in and west of Independence. His conduct throughout the day was exceedingly gallant. Lieut. Col. Plumb, Lieut. Col. Walker, and Majs. Ross and Anderson, Capt. Gregg (who was severely wounded), and other officers named by the colonel, deserve the commendation he awards them in his report.

During the day I noticed a company of Missouri volunteers from Warrensburg, under Capt. George S. Grover, to which I assigned position, and they did good service. Also some of the Kansas militia under Capt. McDowell, reported for duty and did good service in guarding and delivering the ammunition supplies.

Major Charlot, Maj. McKenny and Maj. Hunt, of my regular staff, and Hon. Senator Lane, of my volunteer staff, took an active and prominent part in the conflict, and displayed much coolness and gallantry, under the fire of the enemy.

All the troops showed the greatest coolness and courage, always ready to rally, re-form and attack, during the slow retreat over only nine miles, which consumed the entire day.

At Independence I received and announced to the citizens and soldiers the news of Sheridan's glorious victory in the Shenandoah valley; at the same time publicly explained the nature of the day's operations and my arrangements for making a main stand on the Big Blue, where my main forces were being fortified.

I had thus delayed and seriously embarrassed the enemy without demoralizing any of my forces, with the use of only a small portion, and at a small loss in killed and wounded.

Gen. Blunt was very active and efficient during the whole day, and his full report should be read to do him justice.

BATTLE OF THE BIG BLUE.

After a personal inspection of the surrounding country on the 18th October, I ordered Col. C. W. Blair, who commanded a brigade of mixed troops, to take position on the west bank of Big Blue, six miles east of Kansas City, Missouri, and arrange matters for making that stream a stand-point to confront and repel Price's approaching forces. My engineer, Lieut. G. T. Robinson, was directed to survey the stream and lay out such field-works as seemed expedient to resist the passage of cavalry and artillery. These officers engaged in these duties with great energy and sound judgment.

On the morning of the 21st, before going forward to the Little Blue, I directed Maj. Gen. Deitzler, with what militia he then had at Independence, to fall back to the Big Blue, take general command of matters there, and bring up all the available forces in the rear and arrange them for battle on that line. This order was also carefully and zealously executed. All doubts as to the approach of Price were dispelled by constant sound of our guns at the Little Blue, and Governor S. Carney, Gen. Deitzler, and all the militia, entered with fresh zeal and energy upon the work of bringing up and deploying the Kansas and Missouri militia. At the close of the contest

of the 21st near Independence, I ordered all of Gen. Blunt's, and detached troops to move back and join the forces at the Big Blue, where I also repaired, establishing my headquarters on the main road leading from Independence to Kansas City, which is also a central position of my line on the Blue, which is nearly at right angles with this road. The country is rough and thickly timbered, and the streams bordered by precipitate banks which render it generally impassable for cavalry and artillery. I divided the forces, distributing them so as to form a line more or less continuous according to danger from the Missouri river, to the crossing of the Blue near Hickman's mill, a distance of fifteen or sixteen miles. Roads on the west side were convenient for concentrating these forces, and with the immense display of abattis and other field-works which had been erected under the supervision of Gen. Deitzler, Col. Blair, and my staff officers, I was ready to receive the enemy on the 22d.

I assigned Gen. Blunt to the command of the right wing, including all south of the road, and to Gen. Deitzler the left wing, which includes all north of it. Militia, volunteers, artillery, and a considerable colored force which had been collected by Capts. Hinton and Rafferty, amounting all together to about fifteen thousand, were thus arrayed resolved to check or defeat the long continued progress of Price's army of thirty thousand; for his officers and men taken prisoners, generally reported the enemy's force at from twenty-five to thirty-seven thousand, and boasted of constant accessions by volunteering and conscription.

On my arrival at the Big Blue I telegraphed you as to my conflict at the Little Blue, and my designs for the 22d, and also telegraphed Gen. Rosecrans as follows:—

HEADQUARTERS BIG BLUE, }
5 O'CLOCK P. M., October 21st, 1864. }

GEN. ROSECRANS:—

I am confident I can stop Price at this crossing, and hope you will come up in his rear and left. He cannot get out by Hickman's mill. If you can get that position we will bag Price if I succeed as I hope to do. My losses

have been considerable, but my troops are in good order and ready to make a stand at this place.

S. R. CURTIS, Maj. Gen."

He telegraphed me of same date as follows:—

"CAMP NEAR COOK'S STORE, 1 P. M., October 21st, 1864.

MAJ. GEN. CURTIS:—

Our cavalry reached Lexington at 10 o'clock this morning. The infantry will reach this evening and push forward. Rear division left Sedalia yesterday morning. Orders will be sent to push the enemy to the utmost.

W. S. ROSECRANS, Maj. Gen."

During the morning of the 22d, the enemy approached Gen. Deitzler's wing and drove in our pickets at an early period, but finding the army in that quarter too strong he avoided an attack. Col. Ford sent forward a battalion to skirmish on the main road, but the enemy found our centre also too strong, and signal officers reported a movement of the enemy southward, evidently designed to flank us.

I moved my headquarters back to the intersection of roads bearing from Hickman's mill, and sent a dispatch to the extreme right, as follows:—

"SATURDAY, 9 A. M., October 22d, 1864.

GEN. GRANT, commanding militia near Hickman's mill:—

Price is making very feeble demonstrations in front. Look out for your position. Send scouts out on road towards Pleasant Hill and also towards Independence, to see if he is moving on my flank. Send me report every thirty minutes.

S. R. CURTIS, Maj. Gen."

I also sent my aids, Maj. McKenny and Lieut. Roberts, to give warning to the right of Gen. Blunt's right wing, but before they reached Gen. Grant, the intermediate ford at Col. Jennison's point called Byram's ford, had been attacked, and forced so the enemy had penetrated to the west side. News of this attack at Byram's ford reached me at 2 o'clock P. M., and I immediately directed Gen. Blunt to hasten reinforcements to that point, and also sent similar orders to Gen. Deitzler, whose left wing was no longer menaced.

Col. Jennison resisted the enemy for some time, but ulti-

mately and before reinforcements reached him, had to fall back in good order before overwhelming numbers.

This break in my line severed the militia that were under Gen. Grant near Hickman's mill, and many of them were captured, including a twenty-four pounder canon which belonged to the state. Meantime the reinforcements ordered to Byram's ford joined Col. Jennison's and fought the advancing column of the enemy till dark, when our forces drove back the advance some distance.

But the enemy had penetrated and broken my extreme right flank, held Hickman's mill and all of the Blue south of Byram's ford, and taken position south of my headquarters and Kansas City, to which point I now moved my headquarters. Only a small portion of my troops had been engaged, when night closed the scene and displayed the enemy's camp fires over a vast field south and south-east of Westport.

Some of the details of this day's contest are thus presented by my comrades in command. Gen. Blunt says,—

"Early in the morning of the 22d, I directed the first brigade under Col. Jennison, to proceed up the Big Blue a distance of four miles to Byram's ford, to defend the crossing at that point, and for the same purpose I sent the second brigade under Col. Moonlight, to Hinkle's ford, about two miles above the main crossing.

"At about 9 o'clock A. M., a small force of the enemy advanced on the main road from Independence to Kansas City, which proved to be only a feint to divert attention from the movements on our right flank in the direction of Byram's ford. At 1 o'clock I heard artillery firing on my extreme right, from which I inferred that Col. Jennison's command had been attacked, and immediately dispatched a courier to Col. Moonlight to reinforce him with the second brigade, but before Col. Moonlight had time to arrive on the ground, Col. Jennison was forced to retire, and the enemy had flanked our position on the Big Blue and was crossing that stream in force. The first and second brigades kept up on their flank, and when near the state line attacked the right of their column, turned

his flank and punished him quite severely. The fighting continued until dark.

"Finding the position of our army at the Big Blue flanked by the enemy, and in the absence of superior authority, I directed Maj. Gen. Deitzler, in command of the Kansas state militia, to withdraw his command to Kansas City, and dispatched orders to Cols. Jennison, Moonlight and Ford, to remain with their commands in front of the enemy in the vicinity of Westport."

Maj. Gen. Deitzler reports:—

"The entire army of the border was now in position on and along the north side of Big Blue occupying every passable crossing of that stream from its mouth to Hickman's mill, a distance of about fifteen miles, and presenting a formidable appearance.

"Price's army entered Independence on the 21st, and on the morning of the 22d his cavalry made demonstrations at several points in front of my position (the left wing), in several instances driving the pickets in under cover of our artillery. About noon, having received reliable information that a heavy column of the enemy was moving against the right of our line, I ordered Lieut. Col. Walker, commanding the 16th Kansas volunteer cavalry, with two pieces of artillery, to reinforce that position. Subsequently the 12th K. S. M. and Capt. McLain's battery were also withdrawn from my line to reinforce the right under Gen. Blunt.

"The enemy having forced a passage of the Big Blue at Byram's ford about 3 o'clock P. M., and my position being threatened from the rear, I quickly withdrew my command in perfect order, and retired to Kansas City in obedience to instructions from Maj. Gen. Blunt. Just as the troops commenced moving from our works on the Blue, a detachment of rebel cavalry made a furious dash upon the left centre of my line occupied by the 19th regiment K. S. M. under Col. Horgan, who received the charge with the greatest coolness and gallantry, completely routing the enemy, killing twelve and capturing ten, without loss on our side."

Speaking of the operations of Gen. Grant, who commanded the militia on the right of Gen. Blunt's command, the General adds:—

"A strong detachment of the enemy moved up the Blue under cover of the timber and attacked Gen. Grant, throwing his command into some confusion, killing thirty-six and wounding forty-three, taking about one hundred prisoners, capturing one piece of artillery and compelling Gen. Grant to return to Olathe. There was not much fighting on the left wing of the line, but Gen. Deitzler acted with good judgment and great promptness in his duties. The militia generally did well, and the disaster of Gen. Grant's detachment was mainly owing to the overwhelming numbers of the enemy that moved upon them."

Col. Jennison, who commenced the fight and stood the brunt of it during the afternoon, thus reports his operations:—

"On the morning of the 22d, I was ordered with the brigade to Byram's ford of the Big Blue, some eight miles from its encampment of the night previous. Arriving there we were joined by a detachment of K. S. M. of Col. McCain's command, which rendered valuable assistance in obstructing the ford of the river by felling timber, etc. About 10 o'clock A. M. the enemy's advance made its appearance at the ford, attacking our outposts and attempting to force a crossing. The ford was so effectually obstructed however, and in its condition wholly impassable for artillery, that for some hours little progress was made, the attacking party being repulsed each time it appeared in the front, which was defended by a strong skirmishing line securely posted, and one section of the howitzer battery then in charge of 2d Lieut. H. S. Barker, company "G," 15th K. V. C., to whom the command was transferred on the morning of the battle of Little Blue.

"The first brigade held the enemy effectually in check notwithstanding his great superiority of numbers, until about 3 P. M., when it became evident that he had succeeded in crossing considerable bodies above and below, and was rapidly flanking us both right and left.

"Upon this intelligence (word of which was sent to the general commanding), with the additional report that the main body of the rebels was apparently in front and determined to effect a crossing at Byram's ford, it was determined to retire in the direction of Westport or Kansas City, towards which it was evident the efforts of the enemy were directed. Our lines at the ford having been forced back, the rebels succeeded in crossing a considerable force of dismounted cavalry, a portion of which was employed in removing obstructions in the river, while the others were deployed on either side of the road and advanced towards us. Then with a strong body of rebels pressing on our rear and in constant expectation that our flank would be attacked, the brigade commenced the retreat towards Westport, contesting every foot of ground until the enemy gave over the action, and retired to the front. Reaching the open ground some four or five miles, between Westport and state line, a large body of troops was discovered on our left advancing in a northerly direction from the timber of the Blue. Upon reaching the line road we were joined by Col. Moonlight's command, when the first and second brigades were rapidly pushed forward upon the prairie to resist the advance of the enemy under Shelby, who had evidently crossed the ford four miles above Byram's. Skirmishers were immediately deployed from both brigades, and in a few minutes the action was commenced along the entire lines with small arms. A body of K. S. M. coming up soon after, it was formed in line of battle immediately in rear of first brigade, when the rebels being closely pressed by our skirmishing lines, wavered a moment and then began to give ground. Upon this a general advance of the first brigade was ordered, and the lines rapidly advanced towards the enemy, who after a slight resistance fell back in confusion to the cover of the timber, some two or three miles distant, closely followed by our forces, until, as the sun went down, not a vestige of the rebel Shelby's division beyond its dead and a few wounded, was to be seen on the field. Maintaining our lines for some time with no further demonstrations from the recent exultant and confident

enemy, our columns were turned towards Westport, which we reached about 7 o'clock in the evening, going into camp between that place and Kansas City, where the army of the border was mostly concentrated, and as the night wore on we seemed encircled by the camp fires of the rebels, which gleamed menacingly from the woods."

Col. Moonlight's report presents that—

"At the Big Blue on the 22d, the second brigade was ordered to hold Simmon's ford and report the movements of the enemy. None coming, and the first brigade at Byram's ford retreating, the second brigade in double quick whipped around by Westport and met the enemy on the state line, checked his advance into Kansas, and by the setting of the sun drove him back into Missouri. The fight continued until dark, after which the pursuit was abandoned and my command moved up to Shawnee, Missouri, for the purpose of procuring forage and rations. * * * In this fight company "G." of 11th K. V. C. escort for Maj. Gen. Curtis, joined my command on the occasion and participated in the fight, as also the howitzers under Maj. Hunt, chief of artillery."

Col. Blair, who was first ordered to take position on the Big Blue, gives more detailed and correct intelligence of the militia forces, which he arranged in line. He reports as follows concerning his position on the Big Blue:—

"Before I had the brigade equipped I received (on the morning of the 18th) an order from Gen. Curtis to move towards Independence, and to come by Westport to complete my supplies. At 8 o'clock A. M. I was on the march, and passing through Westport camped on the west side of the Big Blue, on the road from Kansas City to Independence. I spent the whole of the night and part of the next day in procuring subsistence, arms, blankets and tents, for the command. While engaged in this duty I was instructed by Gen. Curtis not to move camp until further orders from him.

"On the morning of the 20th, Lieut. Robinson, chief engineer on the staff of the commanding general, arrived from the front with orders to fortify the line of the Big Blue, as Gen.

Curtis intended making his stand on that line. The 20th and 21st were spent in examining the country, felling trees, forming abattis, obstructing fords and strengthening the defences as much as possible.

"During the 21st, the 4th regiment K. S. M., Col. McCain, and the 19th, Col. Hogan, reported to me by order of Maj. Gen. Deitzler, K. S. M., and were assigned to duty in my brigade. Capt. Dodge's 9th Wisconsin battery had also been assigned to my command in place of McLain's, taken to the front. In the evening of the 21st, all the troops having fallen back on this line, I established my command in its position of battle, where they supped, slept and breakfasted the next morning, their horses, together with all of the transportation having been sent back to Kansas City to avoid unnecessary incumbrances.

"My line of battle occupied a front of six miles, with one regiment (McCain's) still higher up at Byram's ford, where the crossing was finally effected. Two hundred and fifty of Hogan's regiment held the cavalry ford at the mouth of the Blue, three miles from the main body of the regiment, which formed my left. Next came the colored militia and the 6th regiment of K. S. M., Col. Montgomery.

"Dodge's 9th Wisconsin battery, and the colored battery, occupied a fine artillery position in the centre, cut out expressly for the occasion, supported on the right by Col. Colton's 5th regiment K. S. M. and Eve's Bourdon county battalion. At the ford two miles above was stationed Lieut. Knowles' 2d Kansas battery, supported by the 10th regiment K. S. M., while still above at Byram's ford was stationed Col. McCain's 4th regiment K. S. M. To this point Jennison's brigade was ordered, and at 11 o'clock A. M. the sound of the guns showed that the battle had commenced on our right. The 16th Kansas cavalry, and McLain's battery, which up to this time had been in my rear, were ordered off to the right to support Col. Jennison.

"I remained in position until 4 o'clock P. M., when I received orders to fall back to Kansas City. As Col. Hogan's

regiment was leaving the line to bring up the rear of the brigade, a rush was made upon him by a party of the enemy who had been concealed in the brush to his front across the creek. They waded the creek, pushed through and over the abattis of fallen trees clear up to Hogan's line, where after a short, sharp little skirmish, some twenty of them were taken prisoners and the rest driven off."

Maj. T. J. McKenny, A. A. G. and inspecting officer of my staff, reports his active efforts in the action, from which I present the following extracts:—

"Oct. 22d. On this day was fought the battle of Big Blue. The general commanding being fearful that a sufficient force had not been stationed at Byram's ford, directed me to order Maj. Gen. Deitzler to send the greater part of his force to Col. Jennison, holding that ford. Gen. Deitzler said that he could not see the necessity as there were already the 15th and 16th Kansas besides one hundred and fifty infantry, also some other troops, with four guns, at that point, but that he would send more.

"I designated an independent company numbering about one hundred which I had that day armed on my own responsibility, with arms taken from wagons going to Kansas City, as a proper force to be sent. It was understood these would be a part of the force sent. * * The general commanding being desirous of information from the front, particularly Hickman's mill, despatched me to see what could be learned. Taking the wrong road I came near Byram's ford, and there found Col. Jennison slowly falling back, and observed the enemy in his front, and a large body of men on his right flank, supposed to be the enemy. Retraced my steps and got on the Hickman's mill road, when I met this same body of men, which proved to be Col. Johnson's militia in rapid retreat. I stopped them and caused them to go to the rear slowly, at the same time I sent Col. Jennison notice. I now proceeded on my road, but had not gone far when I became satisfied that I would soon be cut off, as the enemy were already rapidly advancing, having captured many of the militia near Hickman's

mill, besides one gun. I now rode rapidly to the rear. Over-taking the militia I placed them in line of battle in the edge of the timber, with directions to hold their ground and retard the enemy's progress.

"Gen. Fishback was present and manifested the greatest willingness to meet the enemy. I afterwards learned that this regiment did good service. Night now closing in found us in a rather doubtful position.

Our forces being pressed fell back to Kansas City, where most of them arrived about 10 o'clock. The 2d Colorado, with the exception of two companies, with the 11th, 15th and 16th Kansas, remained on the field confronting the enemy."

Maj. Charlot, A. A. G., who noted the time and generally drew up my orders and reports, says, concerning this day's operations:—

"At this time (11 o'clock) Jennison was holding Byram's ford, and Moonlight, Hickle's ford. Col. Ford reported that heavy columns of the enemy were moving in direction of these fords. Gens. Deitzler and Blunt were both ordered to send forward reinforcements."

Maj. Hunt, my chief of artillery, reports of his operations:—

"The general sent me out with body guard to reinforce. Reached a distance of about two miles from town (Westport), met the militia falling back in confusion. Halted them and made them go back. Sent a messenger to Col. Jennison asking him where I could render him the most service. He informed me that the enemy was flanking him on the right and left, and for me to fall back on the Westport road to keep the enemy out of town. I did so. Met Col. Moonlight passing west to check the enemy from going into Kansas. Soon the 15th, under Col. Hoyt, also came. We all marched in double quick until we reached the Kansas prairie west of Westport. Here we deployed in line, met the enemy square in the face. I turned over the command of the body guard to Capt. Gove, and gave my services to Col. Moonlight. The enemy opened

two pieces of rifled artillery upon us at the distance of a mile, supported by Fagan's or Shelby's division. They drove us steadily from about 3 o'clock until nearly dark, when our skirmish line was reinforced. I assumed command of it and drove the enemy back some two miles, capturing several prisoners, among them a lieutenant, whom I delivered to the commanding general in Kansas that night. Col. Moonlight, Lieut. Col. Plumb, Col. Jennison, Lieut. Col. Hoyt, and other officers and men, deserve special credit for their soldier-like conduct."

Lieut. Cyrus M. Roberts, acting aid-de-camp, was ordered to carry communications to Hickman's mill, and being thus detached, reports:—

"On the 22d of October, in the afternoon, when Col. Jennison's command was attacked at Byram's ford, you ordered me at Westport, Missouri, to go to Hickman's mill, Missouri, and order all the forces that might be there, to immediately reinforce Col. Jennison. Arriving at the mill, I found Maj. John M. Laing in command of a part of the 15th K. V. C., and delivered him your order. His command was feeding. I saw also the 21st K. S. M., which was just ready to mount. I delivered your order to the colonel (Lowe) commanding, and his regiment moved forward immediately at a trot. *

* * When we arrived at the bank of the hill descending to the Big Blue, we saw right ahead of us and as far as the eye could reach, clouds of dust along the road, and knew it must be the main column of the enemy advancing. In a very few minutes, perhaps five, the 21st K. S. M. had dismounted and formed in line of battle along the brink of the hill. Those of the 21st regiment who could see the enemy, commenced firing. Their advance immediately fell back out of sight and formed in a body, but in a few minutes came forward with a yell. The 21st fired a volley into them and they fell back out of sight.

"While this was going on, Maj. Laing's command came up where the horses were held, but instead of rendering the

militia assistance they turned immediately back, leaving the militia to get out the best way they could. Several of the militia followed, but Lieut. Col. Robinson, Col. Lowe and myself, drew our weapons and kept the militia who were going away, to the front. The enemy appeared very much demoralized and did not seem to want to give us battle after this. Holding our position twenty or thirty minutes without another attack (the skirmishing still going on), we concluded to mount and pass around the enemy to the west, and join you. It was getting late, and darkness came on before we had gone a mile."

It is proper to say in this connection that I arrested Maj. Laing when this affair was reported to me, but upon explanation and in consideration of his gallantry elsewhere, I directed his release.

This report of Lieut. Roberts shows the operation in the vicinity of Hickman's mill, and also the movement of the enemy westward, at the close of the day's fighting.

This repulse by the militia was a gallant affair and must have greatly annoyed the rebels, who found resistance on all sides of them. Other staff officers, Maj. Weed, Maj. Curtis, Capt. Meeker, of the signal corps, Surgeon Davis, Lieut. Robinson, were all active in carrying out my orders. My volunteer aids, Hon. Senators Lane and Pomeroy, were earnest and very efficient in the field. Senator Pomeroy was especially active in bringing the militia forward and correcting their impressions as to the movements, while Senator Lane's experience in former campaigns in Mexico and upon the Kansas border, enabled him to be of much service in the field everywhere. Col. Crawford, Col. Roberts, Col. Richey and Col. Cloud, of my volunteer aids, all of whom had experience and zeal to stimulate their exertions, were active, efficient and useful throughout this and other days of this campaign. Surgeon Davis and Surgeon Harvey were active in their care of the wounded.

Reference to the accompanying map will show the scope of operations during the day, and the general result.

Our left and centre had not been moved by the enemy, and although our extreme right had been pressed back, our closing efforts were encouraging. The enemy now having possession south of us, after night concealed our movements I ordered the main force to take position within the lines of fortifications which surrounded Kansas City, where they could get rest and supplies, to which place I moved my own headquarters.

About 6 o'clock of this evening I also received verbal intelligence of the arrival of Gen. Rosecrans' advance, under Maj. Gen. Pleasanton, with cavalry at Independence, where it was stated he had struck Gen. Price's rear. This intelligence came about 6 o'clock in the evening, and being circulated among my forces, inspired new hopes and energies in the army of the border.

BATTLE OF WESTPORT.

Night closing the battle of Big Blue on the 22d, I ordered my troops under cover of the darkness, to concentrate within the lines of field-works that enclosed Kansas City, Missouri, only a small force remaining in front of Westport near the long line of camp-fires that marked the position and vastly superior numbers of the rebel forces. The citizens and soldiers had so improved the natural strength of Kansas City as to make this position almost impregnable, and being well furnished with food, forage and ammunition, I replenished exhausted stores and secured my weary soldiers a few hours repose, which after so many days of marching, watching and fighting, we all very much needed. But in view of to-morrow, my officers were put to a new test of their power of endurance.

The enemy had halted south of Westport, and some five or six miles south of Kansas City, where he could either turn my new right flank, which rested on Turkey creek, or attack in front at his leisure. I therefore determined to renew the offensive on his own ground with my main force, leaving heavy artillery, unmounted militia and the home guards of the city, to hold the line of entrenchments to fall back upon if occa-

sion required. A despatch from Maj. Frank Eno, St. Louis, October 22d, informed me that Gen. Rosecrans was at 1:30 P. M. to-day, fifteen miles from Lexington, but a scout from his cavalry advance reported Gen. Pleasanton at Independence, only nine miles from Kansas City. Militia also came in to reinforce me, and compensate for the considerable losses of the day.

I directed Gens. Blunt and Deitzler to personally supervise preparations, and have the troops to commence moving at 3 o'clock in the morning; and all of my staff not then engaged locating the troops for the night were also directed to assist in notifying and replenishing the militia for the proposed attack of the enemy at daylight the next morning. A verbal message was also sent to Gen. Pleasanton giving him information of my purpose. Gen. Pomeroy volunteered to locate troops at the crossing of the Kansas river, so as to apprise me of any movement around my right flank. The officers all heartily united and labored most of the night in efforts to have everything ready for a united, powerful attack on the rebel camp at daylight.

Our regular volunteers with the artillery, moved early in the morning of the 23d, and were deployed into line of battle two miles south of Westport and Brush creek, which is shown on the map accompanying this report. This stream lies east and west, and is skirted by a dense forest some two miles wide. This advance of Gen. Blunt was soon attacked by overwhelming odds and gradually fell back. The militia came up and deployed under Col. Blair on the right, but not sufficient to maintain the advanced position. Our troops fought desperately and sometimes repulsed the enemy, but gradually fell back to the north side of Brush creek.

After directing Gen. Deitzler and Col. Cotes (who commanded the Missouri militia) to put the whole male population about Kansas City on duty in the trenches of that place, I pressed forward all the mounted forces and joined Gen. Blunt at Westport at half-past seven, where I found our forces as last mentioned.

The enemy had advanced his skirmishers so as to occupy the timber south of Brush creek, while our troops occupied the timber on the north side. As the militia were coming forward I ordered a reconnoissance to the left and front, also sending Maj. Curtis in that direction with orders to find and report matters to Gen. Pleasanton, and directed also the further extension of our lines to the right. From the roof of the hotel, where I found Gen. Blunt, we could see beyond Brush creek the rebel forces deployed in endless lines on the open prairie.

McLain's battery was on the brow of the north bank of Brush creek, and near the road; Dodge's 9th Wisconsin battery to his right. We also had about twenty other pieces of artillery, mostly mountain howitzers, with cavalry, taking positions as their supporting squadrons came into line. Meantime continued firing was kept up by skirmishers and artillery on both sides with but little damage to either after taking position named, on opposite sides of Brush creek.

About 11 o'clock I went myself to the right of our lines and led the militia forward as skirmishers. I tried to get through the timber with Dodge's battery and two little howitzers of my escort, but the roads were not favorable and I left the further movement of the right to Col. Blair, who was soon after joined by Gen. Deitzler. I was directed by an old man, a Missouri patriot of seventy-five years, through a narrow defile to Brush creek, with Dodge's battery and other forces. With trembling, sinking steps, the old man directed us to a position where we immediately began to demonstrate against the enemy that occupied the inclined plane and wooded heights on the south of Brush. The weary veteran refused to ride, but sunk down with delight and exhaustion when he saw the success of our guns. Like many other brave Missourians of that day, he saw the rebellion vanishing before him, and his home and country free.

Moving further down Brush creek to the left, I found Cols. Ford and Jennison skirmishing fiercely, and evidently successfully, pressing the enemy back. Thinking it a favorable time

I immediately ordered a cavalry charge, one by the main road and another by the road leading to the left and front, supported by advancing skirmishers and second lines. At the same time I directed Gen. Blunt to advance in support with McLain's battery and other artillery. The cavalry charges led by Lieut. Col. Hoyt and Capt. Thompson, dashed forward with a terrible shout, carrying the heights and stone fences, which were immediately occupied by our main forces, and I soon saw our main line extending far away on my right, emerging from the dark forests of Brush creek.

The enemy was soon overpowered, and after a violent and desperate struggle, fell back to another elevation on the broad prairie, and opened their artillery and cavalry to their utmost ability in a vain attempt to check our general movement.

Our militia continued to come swarming out of the forest, displaying a length and strength of numbers that surprised me. Their movement was steady, orderly and gallant. Every piece of artillery, especially the little howitzers, was in active fire, showing artillery enough to represent an army of fifty thousand. This display of force, rather than effective fire, seemed to cause the enemy to increase his distance before us, while we steadily advanced all arms over a beautiful prairie, where both armies were in full view.

It was at this time about half past 11 A. M., I telegraphed you and my anxious friends in the rear that the victory was ours. At about 12 M. the guns of Gen. Pleasanton were heard on our left, and at 2 P. M. his lines were in full and successful co-operation on the left. The enemy's retiring movement was immediately changed to a complete rout, and our troops took up the pursuit at full speed.

I met with Gen. Pleasanton at a farm house on Indian creek, where he related to me his movements, which had also commenced early in the morning, and included active operations most of the day. To give a full detail of matters I submit the reports of my associate officers, but especially the following extracts. Gen. Blunt says,—

"All the night of the 22d was occupied in getting in ammunition and subsistence to my command, with the view of commencing the attack upon the enemy at daylight the following morning. Daylight on the morning of the 23d revealed the enemy in force, on the open prairie directly south of Westport, and about two miles distant. Col. C. W. Blair's brigade of state militia was ordered out from Kansas City at 3 o'clock A. M., and at daylight my whole command was in motion, moving in columns through Westport and across Brush creek, and soon after sunrise the 1st, 2d and 4th brigades were deployed into line of battle on the south side of the timber skirt-ing Brush creek, where Shelby's division of Price's army was advancing upon my line.

Skirmishers were thrown forward, and the engagement with small arms and artillery soon became general. My advance line being hard pressed, I ordered Col. C. W. Blair to advance with the 6th and 10th regiments state militia, to support the right of my line and guard my right flank, which order was executed with great promptness. Time being required to get the militia arriving from Kansas City dismounted and in position, and the contest in front being severe and unequal, I directed my advance line to fall back to the north side of Brush creek. The enemy advanced a short distance, but did not attempt to attack my second line, with the exception of a small force that approached through the timber to attack my left flank. This force was promptly repulsed by the 5th and 19th regiments of the state militia under Cols. Colton and Hogan.

Maj. Gen. Deitzler, K. S. M., reports:—

"On the morning of the 23d I received instructions from the commanding general to remain at Kansas City, and to place the artillery and infantry in position in the intrenchments, and hurry to the front. About 9 o'clock A. M. I directed Brig. Gen. Sherry, K. S. M., to assume command of the works in Kansas City, and proceeded to Westport. There had been some severe fighting all the morning in the vicinity of Westport, and some brilliant charges by the 15th and 16th

Kansas volunteer cavalry, which were received with great stubbornness and resulted in heavy loss to the enemy, but no ground was gained by our side.

"When I arrived at the front the firing had ceased, and I found our forces formed on the bluff on the north side of Brush creek, the left resting on the road leading from Westport to Hickman's mill, and the enemy on the south side of said creek beyond the woods. The Kansas militia were dismounted and the horses sent to the rear, and as soon as the formation was completed our forces were ordered by Maj. Gen. Curtis to advance with Gen. Blunt on the left, and myself on the right. The personal presence of Maj. Gen. Curtis inspired the men with confidence, and the whole command moved forward in perfect order through the dense underbrush, and as they emerged from the woods on the south side of Brush creek they encountered the enemy in strong force, and after a severe struggle, in which our troops showed great bravery, drove him from his chosen position.

"Taking advantage of the confusion which occurred in the enemy's line at this time, our victorious force advanced rapidly into the open field, firing volley after volley into the flying rebels, killing and wounding large numbers who were left in our hands.

"Both armies were now in full view of each other on the open prairie, presenting one of the most magnificent spectacles in nature. The enemy made several attempts to stand, but such was the daring bravery of our troops that they never succeeded in rallying and forming their men to offer any considerable resistance. A running fight was then kept up for about four miles, the enemy slowly retreating in a southerly direction parallel with, and about a mile from the state line in Missouri, where Gen. Rosecrans' advance under Maj. Gen. Pleasanton, made its appearance some distance from the right of the enemy, and opened upon them with artillery. At this point the retreat became a perfect rout, and the enemy running in great confusion southward were soon out of sight. Their course was indicated by dense columns of smoke ema-

nating from their burning of the prairie, hay, grain, stacks, &c. I accompanied the pursuit a short distance beyond the Blue, where we were joined by Maj. Gen. Pleasanton and staff.

"After consultation with that officer, it was decided that the United States forces under Gens. Curtis and Pleasanton, were sufficient to follow the rebel horde and to drive them beyond the states of Missouri and Kansas, whereupon I requested and obtained permission from the general commanding, to order the militia to their several counties, except the 5th, 6th and 10th regiments, all from southern Kansas, who continued with the pursuit to Fort Scott, from whence they were sent to their homes."

Col. Ford, of 2d Colorado, reports:—

"Early on the morning of the 23d, I was ordered with my brigade through Westport. I formed a portion of the 2d Colorado and 16th Kansas on the hill immediately south of Brush creek, with one section of the battery, but soon after advanced to the edge of the prairie and took up position across the road to the left of Col. Jennison's brigade, the section of the battery being placed in the road. For a while the firing was exclusively artillery, but the rebels advancing, the whole line was soon engaged, and kept up a very steady and galling fire for two hours and more.

(To be continued.)

Vogt, M. D., F. H. Lee, Hutchinson, George W. Dodder, H. Brainerd, Thomas M. Danbury, Murray, M. D., Moses Bloom, M. D., Samuel C. Trowbridge, Lewis.

On motion the report, except as to the corresponding Secretary, was unanimously adopted.

On motion, a ballot was held for the Corresponding Secretary, which resulted in the election of Frederick Lloyd, M. D.

On recommendation of the Board of Censors, the Constitution of the Society was amended by adding the following

PROCEEDINGS OF THE ANNUAL MEETING OF THE STATE
HISTORICAL SOCIETY.

IOWA CITY, December 7, 1869.

The Iowa State Historical Society held its regular annual meeting at 7 o'clock this evening, at the council chamber, in Iowa City.

Rev. R. L. Ganter, in the absence of the President, and first and second Vice Presidents, opened the meeting and presided until the arrival of Prof. W. G. Hammond, second Vice President, who assumed the chair.

On motion of Charles Lewis, a committee of five was appointed by the chair to report nominations for officers of the Society, and also a Board of Curators. The committee consisted of the following gentlemen, to-wit: George W. Dodder, A. C. Younkin, Dr. Henry Murray, Thomas M. Banbury and John P. Irish.

The committee submitted the following report:—

For President, William G. Hammond; Vice Presidents, Rev. Richard L. Ganter, Hon. George G. Wright, Hon. Ezekiel Clark, Rev. William Emonds, Rev. Jas. Black, D. D.; Recording Secretary, William Cullen Gaston; Corresponding Secretary, Frederick Lloyd, M. D.; Treasurer, H. S. Welton; Librarian, Silas Foster; Curators, M. W. Davis, William Vogt, M. D., F. H. Lee, Jno. P. Irish, S. E. Paine, Robert Hutchinson, George W. Dodder, Archibald C. Younkin, N. H. Brainerd, Thomas M. Banbury, William Crum, Henry Murray, M. D., Moses Bloom, Thomas Hughes, J. H. Boucher, M. D., Samuel C. Trowbridge, George G. Cornell, Charles Lewis.

On motion the report, except as to Corresponding Secretary, was unanimously adopted.

On motion, a ballot was had for Corresponding Secretary, which resulted in the election of Frederick Lloyd, M. D.

On recommendation of the Board of Curators, the Constitution of the Society was amended by fixing the time for the

annual meeting on the third Tuesday evening of October of each year.

Also on a like recommendation, the following amendment was adopted, viz :

To strike out after the word Librarian, in Sec. 4 of Art. 1 of the Constitution, the words " eighteen Curators," and add to said article the following :—" At the annual election in 1869, eighteen Curators shall be elected, who shall at their first meeting determine by lot, which of them shall hold for two years, and which for one year; and at the annual meeting thereafter, there shall be nine curators elected who shall serve for two years."

The report of the Corresponding Secretary was read, accepted and adopted.

On motion, H. W. Lathrop and W. A. Ballard were elected members of this Society.

On motion, the committee appointed at the annual meeting for 1868 to procure the delivery of an address at this meeting, was continued, with directions to secure such address for some convenient time during the commencement exercises of the State University, in June following.

On motion the Society adjourned.

WILLIAM CULLEN GASTON,
Recording Secretary.

J. A. Williamson

ANNALS OF IOWA.

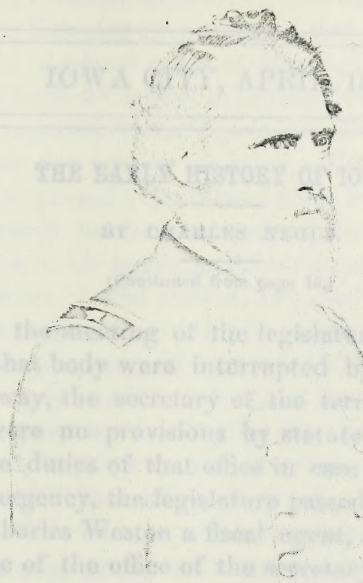
Vol. VIII.

IOWA, APRIL, 1870.

No. 2.

THE EARLY HISTORY OF IOWA.

BY CHARLES WESTON.



Soon after the opening of the legislature in 1839, the proceedings of that body were interrupted by the death of William B. Conway, the secretary of the territory; and at that time there were no provisions by statute for any person to discharge the duties of that office in case of a vacancy. To meet this emergency, the legislature passed a joint resolution, appointing Charles Weston a fiscal agent, making it his duty to take charge of the office of the Secretary, and perform the duties of that office, so far as practicable, until the vacancy should be filled by appointment from the president. James Clark, the conductor of the Western Express Co. received the appointment to fill the vacancy occasioned by the death of Conway, and immediately entered upon the duties of his office.

The death of Conway, and the appointment of Clark, so interrupted the proceedings of the legislature, that on the adjournment of the session, the fiscal agent, was not able to receive his full allowance for services during the session. As he could disburse money, Clark had to notify the president of his acceptance of the office, give bond, and receive a draft to draw the money from the treasury of the United States.

J. A. Williamson

BRIG. GEN. J. A. WILLIAMSON.

Many of the members had not the means to pay their bills and get home without receiving their pay, and the secretary, whose duty it was to pay them, at the time of the adjournment, had not money with which to pay them; and it was not probable that the legislature would have been able to enable him to do so.

ANNALS OF IOWA.

VOL. VIII.

IOWA CITY, APRIL, 1870.

No. 2.

THE EARLY HISTORY OF IOWA.

BY CHARLES NEGUS.

(Continued from page 15.)

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The death of Conway, and the appointment of Clark, so interrupted the chain of business in the secretary's office, that on the adjournment of the legislature, Clark, as the disbursing agent, was not able to pay the members their *per diem* allowance for services during the session. Before he could disburse money, Clark had to notify the president of his acceptance of the office, give bond, and receive a draft to draw the money from the treasury of the United States.

Many of the members had not the means to pay their bills and get home without receiving their pay, and the secretary, whose duty it was to pay them, at the time of the adjournment, had not money with which to pay them; and it was not probable he would get the necessary documents to enable him to get the money for several weeks. This, to many of the members, was a serious difficulty. To relieve the members of this difficulty, Van Antwerp, who at that time held the office of receiver, in the land office at Burlington, proposed to the legislature to furnish Clark with the requisite amount of money to meet the expenses of the legislature, if they would indemnify him against any loss by so doing. Upon this proposition the legislature passed a joint resolution, requesting Van Antwerp to advance to the secretary of the territory, from the public moneys in his hands, sufficient amount to pay the members and officers of that session, and pledged the faith of the territory to him for any amount he might advance to the secretary for that purpose, and instructed the governor to refund to him the money so advanced, out of the money he might receive, for the purpose of defraying the expenses of the legislature. So that, in this way, the members were enabled to get their pay, and relieve themselves of a financial difficulty, which for a while was very embarrassing.

There was none of the lands purchased from the Indians in Iowa brought into market till 1838; and although there had been many settlements made previous to that date, the fee simple title to the lands was in the United States, and the only title the settlers had was that of possession, or claim-title.

On the 12th of June, 1838, congress passed an act, making what afterwards composed the states of Wisconsin and Iowa, a district for a surveyor of public lands, and established his office at Dubuque. This country, previous to this time, had been in the Ohio district, and the surveyor general's office was kept at Cincinnati. This act made it the duty of the surveyor of Ohio to deliver all the maps and other documents relating to the public lands and private land claims in the new district, to the surveyor of this district.

Albert Gallatin Ellis, of Green Bay, was appointed in June, 1838, the first surveyor general of Wisconsin and Iowa. Elijah Dudge, who had long been a clerk in the office at Cincinnati, brought from that office to Dubuque the maps and other documents which properly belonged to the new office, and became the chief clerk of the office.

Ellis only served about a year as surveyor general, when he resigned, and George W. Jones was appointed in his place. The maps and other things belonging to the new office were removed, and all other necessary arrangements were made, so that this office was opened for business in the latter part of the season.

Congress also, at the same time divided the country west of the Mississippi into two land districts, one of which was composed of all the lands south of the east and west line dividing townships seventy-seven and seventy-eight, which was immediately south of the township in which Davenport is located, and was called the Des Moines land district, the office of which was located at Burlington. Augustus C. Dodge, a son of Gov. Dodge, was appointed register, and Verplank Van Antwerp, of New York, receiver of the office at Burlington; and the lands north of this line were called Dubuque land district, and the office for this district was established at Dubuque. Joseph W. Worthington, of North Carolina, was appointed register, and Thomas McKnight, of Dubuque, receiver of the latter office. All the lands of the Black Hawk purchase of 1832, and those of Keokuk's reserve in 1836, and most of the lands of the purchase of 1837, were surveyed under the direction of the surveyor general at Cincinnati, before the office at Dubuque was opened for business.

These new land offices were opened for business soon after they were established, and an opportunity given to settlers on the public lands to prove up their pre-emption rights to lands they claimed, and in the latter part of the summer and fall all these lands were brought into market, and offered to be sold at public sale to the highest bidder. One dollar and twenty-five cents per acre was the minimum price at which any of the

lands would be sold, and at the public sale the person who would bid this amount, or more, became the purchaser. The lands were offered for sale in eighty acre tracts, and no less or larger quantity was offered at public sale at once. After the lands had been once offered at public sale to the highest bidder, and there was no purchaser found, then it could be entered in forty acre tracts at the minimum price, by any one who wished to make a purchase. Although the lands were offered at public sale to the highest bidder, they very seldom brought more than the minimum price, and particularly the lands claimed by settlers. The settlers being aware that if rival bidding was permitted in any one instance, it might become a general thing, and for self-preservation they formed strong combinations to protect each other, in order to procure the lands on which they had settled, at the lowest price. In some few instances attempts were made to bid on the lands claimed by the settlers, but, as a general thing, the parties who attempted it were summarily and decisively disposed of, and they were glad to retire from the contest.

The receipts of the land office at Burlington amounted to nearly a half a million of dollars within the first year after the office was opened. In the Dubuque district the receipts were not so large.

Most of those who came to Iowa before railroads were built, came by the river, and after a long and weary journey down the Ohio and up the Mississippi, they were inclined to stop at the first landings, and the southern part of Iowa, probably, from this cause, at first settled up much more rapidly than the northern portion. After the whites were permitted to cross over to the west bank of the Mississippi, the resources of Iowa were soon much known to the states, and immigration rapidly came from the east to the west; and the country settled up beyond the expectation of every one, and Iowa increased in population almost without a parallel. And owing to the increase in the price of land, most of the first settlers, who were of industrious and frugal habits, became wealthy, and in their declining days lived at their ease.

In 1839, congress made provisions for opening and bridging in Iowa, what were called military roads. One of these roads started from Dubuque, and passed through the county seats of Jones, Johnson, Washington and Henry counties, and thence to the northern boundary of the state of Missouri, to a point where it was thought would be most suitable for its extension to Jefferson City and St. Louis; and it provided for opening and bridging another road from Burlington through the counties of Des Moines, Henry (then Henry and Jefferson) and Van Buren, to the Indian Agency, near the river Des Moines. Subsequently there was an appropriation made by congress for a road from Muscatine to Iowa City.

For many years after the first settling of the country, the thoroughfares from place to place were but very little more than what they were by nature, and the travel, made them. Most of the streams crossed by these roads were bridged, which very much improved the facilities for traveling, and, compared with other roads in the territory, were extensively used. Appropriations were made for opening these roads by government, professedly for military purposes, so that troops, in case of war with the Indians, or were needed for other purposes, could be quickly moved from one portion of the territory to another. These bridges were built in a good substantial manner, under the direction of government engineers, and in the first settling of the country, were of very great benefit to travelers.

During the summer of 1840, the United States caused the census to be taken by the marshal, Francis Gehon, and the population at that time was found to be 43,114. After the census reports were made out, the governor thought proper to convene the legislature, for the purpose of making a new apportionment of its members. The legislature met in July, and made the following distribution of its members, which shows what portions of Iowa were most attractive to the first settlers.

Under this apportionment Lee county had two members of the council, and three representatives. The county of Van

Buren had two members of the council, and three representatives. The county of Des Moines had one member of the council, and five representatives. Henry county had one councilman, and three representatives. Jefferson county had one councilman, and one representative. The counties of Washington and Louisa had one councilman, and two representatives. The counties of Muscatine and Johnson had one member of the council, and two representatives. The counties of Cedar, Linn and Jones had one councilman, and two representatives. The counties of Scott and Clinton had one councilman, and two representatives. The counties of Dubuque, Jackson, Delaware and Clayton, had two members of the council, and three representatives.

There was but very little done at this session of the legislature, except the passing of local acts. There was a law enacted authorizing a vote in the territory on a proposition for taking the preparatory steps to form a state government. This vote was taken at the next election in 1840, but the popular sentiment at that time was in favor of territorial government. In 1840 there was much political excitement. The democratic party had had the ascendancy in the federal government for the past twelve years, and public patronage had been generally bestowed upon the members of that party; and particularly in Iowa, the federal offices were filled with democrats. Van Buren's administration had become unpopular with the people, and the whig politicians being anxious for place, there were great efforts made in 1840 to change the policy of the administration. Van Buren was the democrat, and Harrison the whig candidate for president. Public sentiment seemed to rapidly turn against Van Buren, and in favor of Harrison, and the result was that the latter was elected by a large majority. As soon as the result was known, there became a general scramble among the whigs for office, and nearly all the old officers throughout the country, from secretary of state down to the smallest post office, were turned out and whigs appointed in their places. And all the democrats in the territory that could be, were turned out of their offices,

to give place for whigs, which were mostly filled by strangers from the states.

John Chambers, of Kentucky, was appointed governor; O. H. Stull, of Virginia, was made secretary; James Wilson, of New Hampshire, received the appointment of surveyor general; and the land offices and other places were mostly filled by men not citizens of the territory. These appointments were made very soon after the new administration came into power, and the appointees, early in the season, moved into the territory, and entered upon the duties of their respective offices.

In the fall of 1841 Gov. Chambers was instructed by the president to hold a treaty with the Sacs and Foxes, with a view of purchasing all their lands in Iowa, and moving the Indians out of its limits. In pursuance of these instructions, the governor called the Indians together at their agency near the Des Moines river to make their payment, due them by the provision of former treaties, and to hold a council for the purpose of purchasing their lands. On this occasion there were between two and three thousand Indians assembled. The United States government ordered a company of dragoons to the agency, for the purpose of keeping order, and a good many whites from the settlements, some on business, and some for curiosity, assembled at the agency, and altogether, there was a large assembly of people, which with the governor and his suite, made quite an imposing scene. The Indians were fed on the occasion at the expense of the government, and all seemed to be in good spirits. They engaged in various sports, and seemed to regard it as a general holiday. Among these sports was one which they called smoking for horses. This was done by placing a large number of their men in a row, squatted down in a stooping posture, with their backs bare, when one of their number, leading a horse in one hand, and holding a switch in the other, would come within a reaching distance of those squatted down, and strike some one of the number with all his might over the bare back some three or four times. If the Indian hit with the switch cringed, or gave any indication of being hurt, the one with the switch

passed him by, and repeated the same performance on the back of another one, till he found one who would stand the castigation without flinching, and to him he gave the horse, when the receiver would rise from his squatting posture, mount the horse, and ride off with the cheers of the company. This was a very interesting ceremony with the Indians, and they became much excited with it. Those who succeeded in bearing the whip without flinching, seemed to think they had achieved great honor, while those who did not, felt themselves degraded. In this way there was quite a number of horses changed hands in a short time.

The Indians were kept together for council nearly a week, and every effort in his power was made on the part of the governor and his suite to effect a purchase of their lands, and provide a home for them in the north. But the Sacs and Foxes, either from a fear of the Sioux, or because they did not like a cold climate, hesitated about coming to any definite terms.

One morning when the chiefs were called together, it having rained the evening before, the air was quite chilly, and there was a cold, cutting wind blowing from the north-west, and the governor, when he came into the council, remarked to Keokuk that it was very cold, to which the shrewd old chief quickly replied, "that the Great Spirit had caused it to turn cold, that His people might have a foretaste of what they would have to experience if they sold their lands and moved north." This little incident had its weight, and was probably the means of preventing the purchase of their lands at that time, for the great obstacle seemed to be their objection to moving north. So this treaty proved a failure, much to the regret of those who were anxious to occupy some of the choice spots in the Indian country.

Only a small portion of Johnson county was embraced in the first purchase.

After the Indians moved to the west side of the Mississippi, there was a trading house established in the south-east part of the county, on the Iowa river, in Keokuk's reserve, near the western line of the first purchase. This trading house which

was under the superintendence of John Gilbert, was probably the first settlement in the county. Gilbert was a native of the state of New York, a good scholar, was possessed of business talents, and a man of more than ordinary ability. His real name was said to be John W. Prentice. He had been unsuccessful in business in his native state; this, with other circumstances, caused him to change his name and residence and come west. He entered into the employ of the Green Bay Trading Company, learned the Indian language, had the confidence of the company, and was sent to various points to trade with the Indians, and as a trader came among the Sacs and Foxes. He died in March, 1839.

In the fall of 1836, Gilbert, while on a visit to the town of Rock Island (then called Stephenson), fell in with Philip Clark and Eli Myers, and they went home with him. These men had traveled on horseback from Indiana, for the purpose of seeing the country and selecting a place in which to settle with their families. They were pleased with the country in the vicinity of the trading house, and that fall selected their claims and built cabins, preparatory for opening farms, and returned home. The next spring, accompanied by several of their neighbors, they moved out with their families; and they may be reckoned among the first permanent settlers of this county.

The site on which Iowa City was laid out was in the same purchase which was made on the 21st of October, 1837, and by the provisions of this treaty, the Sacs and Foxes were not required to give up possession of these lands till eight months after it was ratified by the senate of the United States, which was not done and proclaimed till the 21st of February, 1838; so that the Indians were rightfully in possession of the land when the capital was located. The town was laid out and surveyed under the direction of Thomas Cox, who was a member of the first legislature, and quite a noted character in the early days of Iowa. He was assisted in the survey by John Frierson, and the map of the town was drawn by L. Jackson. The surveyors commenced their work in the latter

part of June, but owing to the thick growth of timber on most of the grounds, the survey was not completed so that the lots could be sold, till the 18th of August, 1839. At this date, after due notice, there was held a public sale of lots. About the time of the first sale of lots, Walter Butler and family came to the town and erected a building for a hotel, which may be regarded as the first public house erected at this point, and in early days he was regarded as one of the leading men of the place.

As yet, there were no laid out roads in this part of the country, and but few beaten paths by which the traveler could direct his course; and strangers frequently missed their way while crossing the large prairies, and this was particularly the case in traveling between the capital and Dubuque. To remedy this difficulty, Lyman Dillon was employed to mark out this route; and with his prairie team he plowed a furrow the whole distance between the two places.

On the 1st of January, 1840, there were about twenty families settled in Iowa City, and on the 11th of this month the contract for building the capitol was let to Rayne & Co., the individuals who had built the capitol at Springfield, Illinois, Skean and McDonald, of this firm, came on in the following April with a large number of hands and commenced the work, which, with other improvements, gave the city quite a business-like appearance.

By the provisions of the treaty of the 21st of October, 1837 the United States were "to expend in breaking up, and fencing grounds, twenty-four thousand dollars," for the use of the Indians. And to carry out this agreement, in the summer of 1839, the general government, about sixteen miles west of Iowa City, broke up and put under substantial fence about a section of land. This was near where Poweshiek had located his village, and was for the use of his band. But this expenditure of money did the Indians but very little good, for through their neglect the fences were burned up, and the whole improvement soon went to waste.

On the 20th of June, 1841, the citizens of Iowa City were greatly elated by the arrival of the steamer Ripple, under the command of Captain Jones. This was the first steamer that ever thus far ascended the Iowa river. The occasion was celebrated by a public dinner and other festivities, in which about seventy-five persons participated.

The legislature, which met at Burlington in the fall of 1840, on the 13th of January, 1841, passed an act which required the next legislature to convene on the first Monday of the next December at Iowa City, provided the public buildings would be so far completed that the legislative assembly could be accommodated in them, or that other suitable buildings should be furnished, free of rent. In either case the governor was to issue his proclamation convening the legislature at that place.

After it was known that a law had been passed authorizing the convening of the legislature at Iowa City, early in the season of that year, Dr. N. Jackson, an old gentleman who had had some experience in an editorial life, went to Iowa City and started a democratic paper called the "Iowa City Argus," which was the first newspaper ever published at that place. Soon after the appearance of the Argus, William Crum started a whig paper, called the "Iowa Statesman."

Ver Plank Van Antwerp, who, in the early days of the territory took an active part in politics, and under the Van Buren administration held the receiver's office in the land office at Burlington, was ambitious of maintaining his political standing in the territory. And having been turned out of office by the new administration, and having no particular business to which he could turn his attention, associated himself with Thomas Hughes, who was a practical printer, and had been engaged in publishing a paper at Muscatine, went to Iowa City, and on the 4th of December, 1841, published a paper called "The Iowa City Capital Reporter."

Notwithstanding the great whig triumph which had been achieved the year before at the presidential election, the legislature of Iowa was largely democratic. At the meeting of the legislature there arose a fierce and bitter quarrel between

the proprietors of the two democratic papers and their friends, about who should have the job of doing the incidental printing for the session; and several ballots were taken by the legislature without being able to elect a printer. At last, the democrats being desirous of having a paper to represent their party permanently established at the seat of government, and being satisfied that two papers of the same kind in politics could not be sustained, undertook to compromise the difficulty. And the proprietors of the two papers were induced to leave the dispute to their mutual friends, to settle their claims to the public patronage. The arbitrators agreed upon a compromise of the matters of difference, by deciding that the proprietors of "The Capital Reporter" should have the job of printing, on condition that they would purchase Jackson's press at a price fixed by themselves. Hughes and Van Antwerp thought the price exorbitant, but concluded to purchase the establishment at the price fixed, and combine the two offices into one. Van Antwerp, who conducted the editorial department of the paper, being naturally a man of high spirits, and desirous of having everything his own way, was not well pleased with the regimen he had to submit to, in order to get the public printing and permanently establish his paper. His feelings had become somewhat soured towards those democrats who had opposed his wishes and befriended Jackson, and after the matter of public printing was finally settled, Van Antwerp published in his paper some very severe strictures upon the course pursued by those who had befriended his opponent. And among the number whom the editor of the Reporter undertook to chastise through the columns of his paper, for what he deemed to be derelictions of democratic principles, was M. Bainbridge, a member of the council, from Dubuque. Bainbridge was one of the leading members of the council, and at a former session had been president of that body; and towards him the editor seemed to particularly vent his spleen, and said of him some very severe things. Bainbridge did not feel like quietly submitting to the castigations dealt out by Van Antwerp, but sought redress, and, one day meeting Van Antwerp in the

hall leading to the council chamber, commenced a personal attack upon him. Van Antwerp undertook to defend himself with a pistol, but before he could get it in a position to use, Bainbridge, being much the stronger man, wrenched the pistol out of his hand. Just at this time, Secretary Stull, hearing the noise, rushed from his office into the hall, and seeing Bainbridge take the pistol from Van Antwerp, bawled out at the top of his voice, "To the victor belongs the spoils." Bainbridge having deprived Van Antwerp of his weapon, was about to give him a severe drubbing, but the noise had attracted a number of the members of the legislature to the hall, and they separated the combatants before any serious injury was done to either party.

The last legislature which met at Burlington, about the close of the session, reviewed the acts concerning Iowa City and the capitol, and instead of three commissioners, they created the office of superintendent of public buildings, and territorial agent. The law which had been passed fixing the average price of lots at three hundred dollars was repealed, and the territorial agents, in conjunction with other persons, were to value the unsold lots in the city so as to make their average value two hundred dollars apiece. Chauncy Swan was appointed superintendent, at a salary of a thousand dollars a year, and Jesse Williams was appointed territorial agent, at a salary of seven hundred dollars.

At the organization of the territorial government, congress made an appropriation of twenty thousand dollars for the purpose of erecting the capitol building, and subsequently gave the section of land on which the town of Iowa City was laid out. The twenty thousand dollars, with all the proceeds of the sale of lots had been expended, and the territorial agent had borrowed five thousand and five hundred dollars from the Dubuque Bank, to assist in pushing forward the work on the capitol, but up to the time for the meeting of the legislature, the building had not progressed so that any part of it could be finished for use. The wall on the east side had been raised to the bottom of the cornice, it being thirty-five feet from the

ground; the west front and ends were thirty feet from the ground, and it was estimated it would cost a thousand dollars to raise them to the square. The foundation of the east portico was completed, and there was material enough purchased and on hand to nearly put on the roof and inclose the building, but it was estimated that it would take thirty-three thousand three hundred and thirty dollars to complete the entire building, and fifteen thousand dollars to finish two rooms forty-three feet long, by twenty-two and a half feet wide, so that they could be used for legislative halls. Great efforts were made to so far complete the capitol building that it could be used by the legislature the coming winter, but as soon as it was ascertained that it could not be done, rooms were furnished at private expense, and tendered to Gov. Chambers, and on the 1st of November he ordered the furniture used at Burlington to be removed to Iowa City, and issued his proclamation convening the legislature at the new capital. Iowa City at this time was quite a small place; there being but a few houses, the accommodations for members of the legislature and those who had occasion to visit the capital were not as commodious and extensive as many of them had been accustomed to in their native states. Provisions were scarce and hard to be got, and the requisites for comfortable entertainment in almost every respect were very limited, and there were great complaints by those who visited the place about the fare they received. The editor of the Hawkeye, James G. Edwards, fond of good living, wrote for his paper some very severe strictures on the landlords of the place, and complained that he could not get even a "drumstick of a chicken" at the dinner table, such being the scarcity of viands, and the number of hungry persons to feed.

(To be continued.)

THE WOODBRIDGE SELL;

A CHAPTER FROM THE UNPUBLISHED HISTORY OF
CEDAR COUNTY.

BY WM. H. TUTHILL.

About six miles west of Tipton, on one of the roads running toward Iowa City, may be found a post office bearing the euphonious name of Woodbridge, snugly nestled in a pleasant neighborhood composed of some half a dozen or more thriving farmers, who, desirous of mail facilities, had, during the Polk administration, procured the establishment of the office, and secured the appointment of Mr. Henry Bagley (an ardent and devoted whig) as postmaster, there being, strange as it may seem in our degenerate days, no competing aspirants for the situation, although perhaps the emoluments of the office, estimated at something less than twenty-five dollars per annum, might be considered a good and sufficient reason why the "Nasbys" of that day were not more numerous.

The duties of the incumbent were performed to the entire satisfaction of the mail patrons thereabout, and "all was quiet" at Woodbridge. Time rolled on; and in the mutations of our political history, General Zachary Taylor succeeded James K. Polk, and had complimented the young and thrifty state of Iowa by appointing our old friend Fitz Henry Warren, Esq., assistant postmaster general, when the removal of democratic incumbents and substitution of whig officials became the order of the day.

This procedure, although only practically carrying out the Jacksonian policy, was looked upon as a gross outrage by the losing party, if the indignant comments and denunciations of the democratic newspapers of the day are to be considered competent evidence, and amongst them the fierce vernacular diatribes of the Jackson County Democrat, or "Threshing Machine," as it was sometimes facetiously entitled, then edited

by J. B. Dorr, Esq., were prominent in intensity and bitterness, pouring with unsparing violence on the hapless head of Fitz Henry the full volume of its inky fulminations.

Now, it so happened that just at this particular juncture, our Woodbridge P. M. being about to remove from the neighborhood, it became necessary to obtain a successor, but upon enquiry, not a single whig could be found willing to fill the vacancy, and only after much solicitation, an honest, staid and quiet farmer by the name of Asa Haskin, who, by the way, was a faithful democrat, consented to receive the important trust. Whereupon the writer was called upon to make a proper statement to the department of the merits of the case, which being done, the resignation of Henry Bagley was received, the appointment of Asa Haskin made in due form of law, and the new appointee immediately entered upon the discharge of his duties with the unanimous concurrence of all the inhabitants of the settlement.

It was, perhaps, wicked to sell an editor, but the opportunity was so tempting that the sin was overlooked, and a communication concocted, purporting to be from a citizen of Woodbridge, addressed to the editor of the Jackson County Democrat, headed in large letters, "ANOTHER OUTRAGE!" and stating that "the citizens of our usually quiet place have this day received the intelligence that we have lost our worthy and efficient postmaster, Henry Bagley, Esq., and that Asa Haskin has been appointed in his place. No fault has ever been charged, nor could any be found against Bagley. He was not only popular as an officer, but highly esteemed as a citizen, and the question may well be asked, why should he be displaced for such a man as Haskin? Please, Mr. Editor, give this due publicity, as another of the high-handed and tyrannical acts of the despot now in power." To this missive a P. S. was added, that the writer did not append his name, and would mail it at Tipton, as he wished to avoid any suspicion from the new P. M.

The communication was intended, and did, convey to the editor a very different meaning from its literal reading, and as

anticipated, the article itself not only appeared in the next issue of the paper, but was accompanied by a half column of indignant editorial, denouncing the oppressive and outrageous act, and in good hearty saxon expletives abusing Fitz Henry Warren for removing such an excellent and worthy man as Bagley, and appointing in his stead so degraded a specimen of humanity as Haskin, and that this despotic exercise of power for party purposes, precisely similar to other flagrant acts already noted, would sink the perpetrator and his party to the lowest depths of infamy.

The *sell* was complete, and the *expose* duly appeared in the Iowa City Republican, in the shape of a communication from Tipton, calling attention to the fiery article in the Democrat, and stating that the editor must have been grievously imposed upon, as the simple facts were that Bagley, who was an uncompromising whig, had resigned, and the terribly abused second assistant postmaster general had appointed Haskin, a very worthy man, although a democrat, to fill the vacancy, and suggesting the strong probability that many of the other cases so savagely denounced might prove equally free from censure if the facts were known.

To this *expose* the "Threshing Machine" maintained a dignified silence. It was doubtless a sore subject, but enquiries were instituted to ascertain the author of the *hoax*, and the manuscript forwarded to Tipton to ascertain by comparison of handwriting, the identity of the audacious joker. This proved a lamentable failure, for the author having anticipated such action, had only forwarded a *copy*, written by a person whose penmanship would not be recognized.

The *denouement* occurred many years afterward. The war of the rebellion had broken out, and the editor nobly withdrawing from political strife, volunteered to battle for the Union, and became known as one of the patriotic and gallant officers of whom Iowa may well be proud, when at a casual meeting, the writer gave Col. Dorr the whole history of the occurrence, and both had a hearty laugh over the Woodbridge Sell.

PIONEERS OF MARION COUNTY.

BY WILLIAM DONNEL.

CHAPTER VI.

CLAIM LAW, AND CLUB LAWS.

(Continued from page 44.)

The manner of taking claims having been described in another place, we now proceed to a description of the government adopted by the settlers, mainly intended for the regulation of their claim interests, as soon as circumstances rendered such government necessary.

As we have stated, most of the settlers were poor men, who had sought the country for the purpose of advancing their pecuniary interests, prompted by the liberal advantage offered by the general government, which was a claim interest in a certain amount of the public lands till these lands should be subject to sale. In this they saw an opening that seemed to promise admission into comparative independence, if not actual wealth. And for the most of them, we are happy to say, this hope has been, to a greater or less extent, realized. Their sacrifices and labors have been rewarded. They are wealthy. The proprietors of the soil they acquired with so much hardship, they now rest from their labors, with all the comforts and many of the luxuries of life at their command. Though more than twenty-five years have passed away since some of them established their homes in this then trackless wilderness, and those who were in the summer of life then, are now in the autumn of decline, the scenes of their early trials are still fresh to their memories, and they love to "fight their battles over again," in the secure retreat of their own happy homes.

As above stated, an act of congress granted to each settler the privilege of locating upon and claiming three hundred and twenty acres of land until the time of the sale, when he could

enter and secure a permanent title to the same. This claim right was regulated by what was called the "Claim Law," that had its origin in a large meeting of citizens at Locust Grove, Jefferson county, and was legalized by the territorial legislature in 1839.

The provisions of this law were briefly these: Any person twenty-one years old, or any other person at the head of a family, could possess him or herself of three hundred and twenty acres of land belonging to the government, and not legally claimed or occupied by any other person or persons. This could be claimed in one or two tracts, as suited the interest or convenience of the claimant. Said claim had to be defined by well blazed or well staked lines, as it might happen to be, in the timber or on the prairie, said lines not to cross or conflict with those of other claims. Then the claimant was required to build a house on the land, live in it, and cultivate a certain amount yearly, as evidence of his intention to become a permanent settler thereon. In case he should absent himself from it six months at any one time, it was forfeited, and subject to be "jumped," that is, any other person legally entitled to a claim, could take possession of and hold it as though it had never been claimed. But, unlike the present homestead right, claims were transferable at any time, and many who found themselves unable to buy of the government, sold to individuals, sometimes for enough to enter other tracts, and thus secured a permanent title to some portion of Uncle Sam's dominions.

Notwithstanding this apparently just and comprehensive mode of regulating these affairs, difficulties often occurred between settlers in relation to their claims. With no other title than that obtained by mere possession, it did not always appear so clear and unquestionable as to secure the holder in undisturbed possession thereof. In a community where all are in eager pursuit of the same object—the acquisition of property—it is not uncommon to find a few not thoroughly governed by a sense of honesty. So, in a community remote from the influence of law and order, rogues were not dis-

posed to be less roguish. There were no convenient courts of justice, through whose influence men could be restrained from intruding upon each other's rights. The nearest one at that early day was in Washington county, about seventy-five miles distant. Thus isolated from comparative civilization, it is not strange that quarrels often occurred between the settlers that sometimes threatened serious results.

This state of things called for some kind of law, and each settlement of any considerable number found it necessary to adopt certain rules and regulations for its government in all affairs pertaining to claims. At first they were intended to regulate such differences as might arise between the claimants only, but were afterwards deemed a necessary protection against the encroachments of speculators and a motley class of settlers. These "By-Laws," as they were called, embodied the purest "squatter sovereignty" principle. That of each settlement differed more or less, according to circumstances, but in all the object was the same. Under them the settlers were organized into "clubs," duly officered and obligated to serve on all necessary occasions.

As a matter of historical curiosity let us here introduce a *verbatim* copy of a set of these By-Laws. It is of somewhat later date than most of them, but contains the substance of what has just been said of them generally. Having lain in obscurity for more than twenty years, they now come forth with the color of antiquity, and, as a relic of old times, deserve a place more enduring than the yellow, half-worn sheets of old-fashioned writing paper from which we copy them:

"BY-LAWS.

"At a meeting held at the house of Jesse Johnson, in Perry township, Marion county, state of Iowa, on Saturday, the 19th day of August, 1848, Peter Brans was called to the chair, and James M. Brans was appointed secretary. The object of the meeting being stated, the meeting then proceeded to adopt the following preamble and resolutions:

"WHEREAS, It has become a custom in the western states, as soon as the Indian title to the public lands has been extinguished by the general government, for the citizens of the United States to settle upon and improve said lands, and heretofore the improvement and claim of the settler, to the extent of three hundred and twenty acres, has been respected by both the citizens and laws of Iowa,

"*Resolved*, That we will protect all citizens upon the public lands, in the peaceable possession of their claims, to the extent of three hundred and twenty acres, for two years after the land sales, and longer, if necessary.

"*Resolved*, That if any person or persons shall enter the claim of any settler, that he or they shall immediately deed it back again to said settler, and wait three years without interest.

"*Resolved*, That if he refuses to comply with the above requisitions, he shall be subject to such punishment as the settlers shall choose to inflict.

"*Resolved*, That we will remove any person or persons who may enter the claim of any settler and settle upon it, peaceably if we can, forcibly if we must, even if their removal should lead to bloodshed, being compelled to do so for our own common safety, that we may not be driven by ruthless speculators from our firesides and our homes.

"*Resolved*, That a committee of five be appointed to settle all differences that may arise.

Here follow the names of this important committee, and a resolution appointing a captain. Then a concluding resolution, ordering the publication of these proceedings in certain newspapers favorable to the cause.

The next meeting (the only one we have any record of besides the above) came off at the same place, on the 9th of September of the same year, at which the following additional resolutions were adopted:

"*Resolved*, That each settler that applies first shall have his or her name registered, and if any two claims should conflict, then it shall be the duty of the second settler for the same

piece of land to call the committee together and have the matter settled; and each settler that expects the benefit of these resolutions, must have his or her claim registered by the 20th of the present month.

* * * * *

“Resolved, That it shall be the duty of each settler to sign these By-Laws, and he that refuses to do so, cannot, and shall not be protected by us.

“Resolved, That any settler who may have signed these By-Laws, and refuses to render service when called upon by the proper officers, and without a reasonable excuse, shall be fined the sum of ten dollars, to be divided among those that may have rendered the service necessary.”

A lieutenant and ensign were elected at the conclusion of this meeting, but their duties are not prescribed.

Appended to this venerable document are the names of thirty-five settlers. Two more who, though their hearts were in the cause, were omitted, for prudential reasons that may appear on the face of the instrument, when it is known that they held the civil offices of justice of the peace and constable.

Such a company of strong, resolute men, united in a common cause, to which they were the more attached because it affected their home interests, might seem sufficient to strike terror to the heart of any lonely speculator who might have strayed into the settlement and made choice of some valuable tract claimed by one of the number.

Without doubt, the intent of the claim law was to secure to actual settlers the lands in small portions, so as to facilitate the rapid settlement and improvement of the country, thereby increasing its wealth and strength, a result slowly reached through the impediments of speculation. Yet there was no law forbidding speculation in these lands, nor even the entering of claims belonging to actual settlers without due compensation to the owners; and to supply this want these By-Laws were instituted. Though the settlers were admitted to the first choice, some regulations were necessary to secure them in their possession after they were subject to entry. Though

conducted very much upon the mob principle, their intent was legal so far as it went to enforce the intent of the law. Going beyond this, they were very mobs without any legal authority. But as an auxiliary to the enforcement of the law itself, these By-Laws must be regarded as the best thing that could have been gotten up. Indeed, they were but the natural result of the then state of things. They placed the law in the hands of those who were directly interested in its enforcement, without which we have reason to suppose that it might have been nearly a dead letter upon the statute book.

When the lands came into market, and speculators and other buyers made their appearance, the settlers naturally became suspicious of their motives, and these suspicions were founded on some practical reasons. Many of the settlers had made improvements on their claims, and valued them accordingly. In case they were not prepared to enter them, they did not wish to part with them for less than what they deemed them worth. Yet these claims were subject to entry, and as there was no law forcing the purchaser to pay more than the \$1.25 per acre he paid to the government, it depended upon his magnanimity whether he would pay more or not. Some men cannot afford to be magnanimous without the authority of law. They cling to the letter of it so long as it suits their convenience; and it did not suit the convenience of some of these speculators to pay twice for the same property. The little cabin that constituted the poor settler's home, and the ground on which he had cultivated a few crops of corn and vegetables, and the fence that enclosed them, were of much greater value in the estimation of the occupant, than of him who might have been already the possessor of large landed estates, and who could easily secure other tracts equally as good, and unoccupied, a little farther west. If he entered the land regardless of the settler's rights, and refused to pay him what was deemed a just compensation for his labor, or indeed anything, the only remedy was the club law; and, as intimated in some of the resolutions just quoted, it was

somewhat dangerous to disregard its authority. An instance of this will be the subject of another chapter.

As appears in one or two resolutions, differences between settlers relative to claims, were settled by arbitration. All decisions by such a court were considered final. There was no other, neither above nor below it, to appeal to. In case either of the contending parties should refuse to submit to the decision of the arbitrators, and continued to make himself troublesome about the matter, his case was submitted to Judge Lynch, where it was apt to end. Any claim holder not a member of a club, was not entitled to the benefits thereof; and, further,—though perhaps not a universal rule,—any such person positively refusing to subscribe to, or comply with, the rules and regulations of a settlement, as set forth in its By-Laws, thereby indicating an opposition to them, was subjected to a species of ostracism difficult to endure in any country, much less in a new and sparsely settled district, where the conveniences of social intercourse were occasionally felt to be indispensable. Against such an offender “non-intercourse” was declared, which withheld from him all aid and comfort, either in sickness or in health. Such a punishment was apt to be severely felt, and, sooner or later, would bring the rebellious individual to terms.

But strict fidelity to the facts of history will not permit us to say that the spirit of monopoly was confined entirely to speculators. Many settlers were not content with the amount of land the law entitled them to, but made pretended claims to so large a portion of the territory that, in some instances, it was difficult for a buyer to find an unclaimed lot. Of course such claims were without improvements, but the pretended claimants, by representing themselves as the real owners thereof, would frequently impose upon some unwary buyer, or, by threats, extort from him sums, varying in proportion to the supposed value of the claim, or whatever sum could be obtained. For an instance of this, part of the land on which the author resides was once a pretended claim, for which the present owner was compelled to pay a small sum, he having

entered it after learning by due inquiry that it was unoccupied. In this case, the club followed him and another individual named Brown, who was charged with a similar offense, as far as Oskaloosa. Brown stubbornly refused to comply with their demands, and went his way, whilst J. C. Donnel, who had offended to the amount of eighty acres, satisfied the claimants, for the time being, with a note of hand for thirty-five dollars, the half of which was afterwards paid upon compromise of the parties. Judgment had been rendered for the whole by J. D. Bedell, justice of the peace, at Red Rock, but rather than carry the case to the district court, each agreed to divide the difference, and pay his own cost.

We mention this case somewhat particularly, because it was about the last demonstration made by the club, which soon after mutually abandoned its organization, as a thing no longer needed in the eastern part of the county. This was in 1848.

CHAPTER VII.

THE MAJORS' WAR.

But perhaps the most notable event connected with claim troubles, occurred just previous to the date mentioned at the close of the last chapter, and as such deserves a full account, under the above title, by which it has ever since been known.

Some time during the year 1844, a family by the name of Majors immigrated from the state of Illinois, and settled in the western part of what is now Mahaska county, and formed what was known as the "Majors' Settlement."

This family consisted of five brothers, two sisters, and their mother, a widow. One of the sisters was also a widow, and had two sons eligible to secure claims. In all, there were ten persons, each of whom claimed three hundred and twenty acres of land, amounting in the aggregate to five sections.

Having secured their claims, they were among the first to organize a club in that settlement, and adopt rules and regulations for the government and protection of claimants. But in 1847, when the land sales opened, one of the brothers, Jacob H. Majors, who seems to have acted as agent for the

family, entered all their claims; after which, having abundance of means at his disposal, he proceeded to enter some timbered claims, belonging to John Gillaspy, Jacob Miller, and Peter Parsons. His plea was that he did not know they were claims; but, after being informed that they were, he still evaded making restitution according to the rules of the club.

When the report of these transactions spread abroad, it created no little excitement among the settlers, based upon fears for the fate of all their claims. That the Majors were a wealthy family, seemed now unquestionable; and, if not checked in their strides toward a land monopoly, they might continue them, to the ruin of many settlers; and their example might embolden others to do the same, and thus neutralize the real purpose of the claim law.

In view of this alarming state of things, the clubs convened, and passed resolutions denouncing the conduct of Jacob Majors, and decided upon a concerted movement to force him to deed back the claims above mentioned, should he refuse, after being duly admonished to do so. It was supposed he had many friends, who might back him in a refusal, and show some hostility in his defense; and this was the cause of the general uprising of the settlers in behalf of their rights. The central committee sent word to the various clubs, requesting them to meet at the residence of Jacob H. Majors, for the purpose of inducing him to make the required settlement.

At the time specified for this meeting, the exact date of which we have not been able to obtain, a large number of people collected there, and remained all day, awaiting the return of Majors, who was at Oskaloosa, attending the county commissioners' court, as a member of that body. A message had been sent him, desiring his presence for the purpose above stated; and it was supposed that he would make his appearance in the evening.

During the day the crowd was increased by fresh arrivals, and no little excitement prevailed on learning that the offender was absent, and that doubts were entertained of his return that night, and of his willingness to comply with the demand

for settlement. In order to induce him to come home, he was informed that if he did not appear before sunrise the next morning, his property would be destroyed. When night came without bringing the incorrigible Majors, after having sent the above threatening notification, it was evident that something more than gentle coercion would be necessary to bring him to terms.

At night some of the company went home, but the most of them remained, and camped on the ground, to see what would be the result; though we are informed that it was not the design of most of them to execute the threat. And it is quite probable that Majors also regarded it as a mere threat, believing that no one would dare to render himself liable to punishment, for a crime of such a grave character, and he therefore resolved to risk it.

But early in the morning the log stable was discovered to be in flames; and soon after, the corn cribs and other graneries, all of which were consumed, with their contents. There was no live stock in the stable, but a number of hogs were either burned, or killed, by the more excitable members of the mob, who were not disposed to make idle threats.

Majors, now hearing that his property was being destroyed, sent a promise that he would deed the land back to the claimants; and under this promise the settlers dispersed to their homes.

But in a few days, Mr. M. having reconsidered his promise, not only failed to fulfill it, but had warrants issued for the arrest of some of the more prominent leaders of the mob. Peter Parsons was arrested and taken to Oskaloosa, and the report went abroad that he was in jail there, and that the sheriff of Mahaska county was in pursuit of about fifty others, against whom indictments had been filed, among whom were George Gillaspay and John B. Hamilton.

All this was calculated to arouse the indignation of the people to a degree that rendered it unsafe for Majors to remain at home, and he found it prudent to keep out of the way of the settlers as much as possible. Hereupon the settlers called

another meeting, to rendezvous at Durham's Ford, and from thence to go to Oskaloosa, release the prisoners, and punish Majors. It was late on Saturday when the summons came. Next morning a large number collected at Knoxville, armed and equipped, and resolved to stand by the settlers' rights at all hazards. A flag was prepared, showing the "stars and stripes," and inscribed in large letters, "Settlers' Rights."

This company reached the neighborhood of Durham's Ford that day, and remained there till the next, some camping out, and some putting up at the houses in the neighborhood. Here large accessions were expected, which came in that evening and the next morning, from both counties, some on horseback, and some in wagons, swelling the number to about five hundred. When all were together, and organized in a kind of military order, with arms, flag, fife, and drum, they presented a somewhat formidable appearance. To render it still more so, and to make an impression that would be the more likely to secure the object of the expedition without serious difficulty, the horsemen were drilled as cavalry, by a Mr. Mulkey, who had seen some service in the Mexican war.

Thus the army marched into Oskaloosa, reaching that place at about the time the prisoner was to be tried. The arms were deposited in the wagons, under guard, and infantry and cavalry formed in the public square. When this formidable demonstration was observed, and its object made known, the trial of Parsons was indefinitely postponed, and he was released without bail, though he had not been confined in jail, as was at first reported.

I. C. Curtis, more recently a citizen of Pella, as spokesman for the settlers, stated the object of the visitation, and was answered by a Mr. Harbour, of Oskaloosa, in behalf of the authorities. Then followed other speeches and replies, that consumed the afternoon, and tended, and probably were intended, to kill time, and thus give excitement a chance to cool, rather than to effect any definite compromise.

During all this time Majors was there, but invisible to those who most desired to see him. But in the evening he again

promised to comply with the demands of the settlers, and next morning redeemed his promise by furnishing deeds to those persons whose land he had entered. Whereupon the army disbanded, and returned home.

This, then, was regarded as a treaty of peace — a final conclusion of the war. It was all that had been contended for. But Majors was not satisfied with such a conclusion. He was in a rage, considering himself a persecuted man, and the fire of revenge thus kindled in his breast rendered him rash, and regardless of consequences. A mob had followed him, destroyed his property, and forced him to surrender. The law was, therefore, evidently in his favor, and to the law he would appeal. Though the offense of Majors was such as to demand redress, and his persistent refusal to grant it voluntarily rendered compulsion the only means that could be employed for that purpose, yet, as a means unauthorized by civil law, the uprising could hardly be dignified by a better term than *mob*; but we are not prepared to say that in all cases a stigma should attach to the term; and reason will back us up in the conclusion that, in the absence of any civil law to right a flagrant wrong, *mob law is right*.

Not long after this, Majors made preparations to bring the matter into court, but such was the unpopularity of his course, that it was found almost impossible to secure the arrest of persons indicted. Just previous to this, John M. Jones, who was, politically, on the winning side, was beaten in an election for sheriff of Mahaska county, solely because he was a friend of Majors. The officer who was authorized to make the arrests, was kind enough, whenever he conveniently could, to notify the intended prisoners when he should call for them, and consequently, when he did call, they were often absent, and their whereabouts unknown.

Majors was repeatedly advised not to appear against them, but he persisted in so doing, and thereby subjected himself to the accumulated wrath of his enemies. He having added insult to insult, they were now determined to punish him at all events. For this purpose a select company was sent in search

of him, with orders to seize him wherever he could be found, and convey him to Knoxville. Majors, conscious of his danger, did not remain at his home, but frequently stayed at Dr. Buyer's, a few miles south-west of Oskaloosa. To this place the detachment went, but not finding him there, they continued the search till they discovered him in Hallowell's saw mill, near the mouth of Cedar creek, a little south of Bellefontaine. He was at work in the mill, sawing his own lumber, and it was observed that he kept a gun near him, and carried it with him as often as he had occasion to leave the mill, if only for a moment. Thus it was evident that great caution was requisite to effect his capture without serious consequences. To this end the men secreted themselves near by, and sent one of their number, who was an entire stranger to him, to decoy him out, if possible, or throw him off his guard, till the others could steal in and seize him. The plan proved quite successful. Majors was soon engaged in conversation with his visitor, who had come to inquire after estray horses, in the meantime getting between the former and his gun, without exciting any suspicion.

Now was the crisis! Ere the victim was aware of the presence of another person, he felt himself seized by strong hands and carried out of the mill. As speedily as possible they placed him upon a horse, tied him on, and then set out for Knoxville. On their arrival here another select committee took charge of the prisoner. They were blacked, so that their identity could not be easily ascertained; and to this day, but few of those known to the circumstance can give their names. Perhaps for prudential reasons, this is kept a profound secret, for Majors still lives in Missouri, and might yet be disposed to avenge the insult he was then made to suffer.

By this committee he was taken about a mile north of town, at, or near the present site of the county fair grounds, where a preparation of tar and feathers was in waiting. Here they stripped him of all his clothing, and applied a coating of the tar and feathers to his naked body. Over this they drew his clothing, and then completed the job by adding another coat-

ing of the same materials, giving to the wearer a very portly appearance. He was then permitted to go his way, with the admonition never to repeat the offense for which he had been thus severely punished.

Instead of taking a more private route homeward, to avoid being seen in his ridiculous plight, he passed directly through Knoxville, and took the most public road thence to his place. It was sometime during the night when he reached home, and in order to avoid frightening his family unnecessarily, he stopped at some distance from the house and called to them; and when he had thus aroused them he informed them of his condition.

Sometime afterwards Majors made another attempt at prosecution, but was unable to bring his case into court for the reason that the court house was guarded at about the time set for trial, and everyone, lawyers and witnesses, known to be for the prosecution, were egged away when they attempted to enter. Thus foiled again, he abandoned the case finally.

Not long after this the family sold their possessions and moved away.

Since the above was written, the following additional account appeared in a communication to the Voter:

"After receiving the generous coat of tar and feathers, Majors was indefatigable in his efforts to prosecute and convict the leaders in the various raids against him. The state of feeling, as exhibited in the late proceedings in the vicinity of Knoxville, affording but little prospect of success in Marion county, he resorted to the courts of Mahaska, where he fancied a more favorable tone of public sentiment existed. After a number of failures, he finally succeeded in obtaining bills of indictment against a number of individuals who had been disturbers of his peace during the claim difficulties.

"A young man named Bush, was among those indicted. Bush had incautiously allowed himself to be arrested, against a well understood arrangement, and entered into bonds to appear at the term of court then next ensuing at Oskaloosa. Notwithstanding this violation of the rules by Bush, his friends

resolved to stand by him, as they were solemnly pledged to aid and assist their friends in every emergency growing out of their difficulties.

"Accordingly they arranged matters for the approaching trial. One of their number, who very strongly resembled Bush in personal appearance, was chosen to represent him during the trial of the case. This was a bold step, but they ventured upon it.

"At the sitting of the court, Bush and his substitute were surrounded by their friends. When the case was called, the pretended Bush responded, took his seat in the criminal box, and plead "not guilty" to the indictment; but when, in the progress of the suit, it became necessary to identify the criminal at the bar as the real offending Bush, the similarity between the two individuals became at first embarrassing and then inexplicable, and caused no little delay in the proceedings; and the court finally lost its temper, and dismissed the case. The ruse was a success, and the case was literally laughed out of court, to the utter confusion of Majors and his attorneys, who were unprepared for this sharp practice.

"At this unlooked-for failure when everything had promised success, Majors became mortified, chagrined and discouraged, and gave up in despair. He made no further efforts to prosecute the matter, being convinced of the impossibility of procuring a conviction in a community where the hand of every man was arrayed against him. He soon after 'left the country for his country's good.' Finding kindred spirits in Missouri, he sought a home among them, where he still resides.

"It is by no means certain that the court, bar, or spectators of the trial, ever became aware of this ruse. It was known only to the initiated. B."

CHAPTER VIII.

FIRST ELECTION—FIRST POLITICAL CONVENTION—NAME PROPOSED FOR THE COUNTY—ORGANIZING ACT.

At the time of its first settlement, the territory now embraced by Marion county belonged to, and was under the ju-

dicial jurisdiction of, Washington county, together with the counties of Mahaska, Keokuk, Warren, and all other territory west of it, so far as the purchase extended. Washington was then the most western organized county in the same belt now included in the above named counties, and was, therefore, necessarily their seat of justice, and the authority from whence they derived such temporary organizations as were needed for election and judicial purposes.

In 1843, several election precincts were organized by authority of Washington county, extending through these sparsely settled districts, and one of them (perhaps the most western) included a large portion of Marion. This was called "Lake Precinct," and the election came off on Lake Prairie, on the first Monday in October, 1843. In 1844, three or four precincts were established in the county, and another election was held on the first Monday in April of that year. This was on the occasion of the organization of Mahaska county, and Stephen Druilard, who lived on White Breast Prairie, was elected as one of the county commissioners for that county, of which Marion was made an attached part, as it had been to Washington. At that election each precinct also elected two justices of the peace, and two constables, to serve until the August election of that year, the names of whom we have not been able to obtain. The last elections held in connection with Mahaska county, were in April and August, 1845.

In the spring of 1845, a movement was made to secure a separate county organization. A meeting, or convention, composed of a few of the more prominent citizens of the county, interested in the movement, was held at the house of Nathan Bass, on Lake Prairie.* The following named persons were present: Lysander W. Babbit, George Gillaspay, Reuben

*The cabin at which this meeting was held, stood on the north bank of the Des Moines river, in the north-west corner of section 19, township 76, range 18, now Lake Prairie township. It has long since disappeared, and repeated freshets have washed away the bank for several rods inland from where it stood. Mr. Van Lent, a Hollander now owns the land then claimed by Mr. Bass. We are thus particular, because it may interest the reader to be able to find upon the map, or know when he passes it, a place rendered in some degree memorable by the scene of the first political movement in the county, looking to its distinct organization.

Matthews, Homer Matthews, David T. Durham, Nathan Bass, Joseph Druilard, John Williams, Levi Bainbridge, Isaac N. Crum, Simon Druilard, John W. Alley, and a few others. The meeting was organized by the appointment of Simon Druilard, chairman, and John W. Alley, secretary.

One object of the meeting was to propose a name for the county, and another was to recommend some person to act as organizing sheriff, subject to appointment by the legislature; also to choose some of the candidates for county offices, to be voted for at the first election to be held for that purpose, the time of which was designated by the organizing act, a complete copy of which will be given in this chapter. But perhaps the most important object of the meeting was to influence a river location for a county seat. The residences of most of the above named citizens were along the river and in its neighborhood, and consequently their interests had much to do with whatever influence they could lawfully exercise to secure its location on the river. Red Rock was once an aspirant for the honor of being the seat of justice, and contended for it on the ground of its location on the river, by the navigation of which she would have the advantage of commercial communication superior to any inland location. This argument might have secured her the place, but for the overwhelming fact that the town plat was occasionally found to be below high water mark. Evidences of floods that covered the place to the depth of several feet, at some remote period, are still visible upon the bark of the trees. In the spring of 1849 the town was nearly covered, and again in 1851 it was subjected to an overflow that forced the inhabitants to leave it.

This object of the meeting was opposed by the inhabitants of other parts of the county, who derisively gave it the name of "Cornstalk Convention." Perhaps this was partly suggested by the fact of immense crops of corn being produced on the rich bottom prairies along the river.

After the meeting was organized, several names were proposed for the new county. The president offered *Nebraska*; L. W. Babbit, *Pulaski*; Reuben Matthews, *Center*; after

which, Mr. Bainbridge spoke at some length on the fitness of names, denouncing the too common custom of honoring foreigners and noted Indian chiefs, by giving their names to our states, counties, and towns, and concluded by proposing MARION, the name of a distinguished patriot of the War of Independence, as the most suitable one that could be chosen. The proposition was seconded, and adopted by a unanimous vote.

A vote was then taken on the choice of a candidate for organizing sheriff, and the choice fell upon Joseph Druilard.

Immediately after the convention, petitions were circulated and sent to the legislature, proposing the name of the county as chosen by the convention. By private letter, also, directed to S. B. Shelledy, representative from Mahaska,* George Gillaspay was recommended for sheriff. But, for some reason, that body disregarded the applications of the people for the appointment of either of the above named candidates, and appointed William Edmonson, the then sheriff of Mahaska county, to the post of organizing sheriff of Marion.

Having obtained the above facts by much labor and research, revising and correcting from time to time, as additional information rendered it necessary so to do, in order to arrive at the correct and connected details, we here introduce—

“AN ACT

“TO ORGANIZE THE COUNTY OF MARION.†

*During that session Mr. Shelledy introduced a bill for the partial organization of two tiers of counties, designating their boundaries, and applying their names. Four of these counties, Webster, Story, Madison, and Warren, still retain the names then given them.

†The following is an extract from the journal of the council of the seventh general assembly, dated May 5, 1845, giving the proceedings of that body upon this act, just previous to its passage:

“Mr. Selby, from the committee on the Judiciary, to which was referred,—

“No. 61, H. R. file, A bill to organize the county of Marion,

“Reported the same back to the council, with amendments.

“To which the council agreed.

“On motion of Mr. Coop,

“The 13th rule was suspended, and the bill was read a third time.

“A motion was made by Mr. Hempstead,

“That ‘Marion’ be stricken out, and the word ‘Polk’ inserted.

“Which passed in the negative.

“Yeas 4 — nays 8.

“The yeas and nays being demanded,

"SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That the following shall constitute and be the boundary of a new county, to be called MARION; to-wit: Beginning at the north-west corner of Mahaska county, and running west on the township line dividing townships seventy-seven and seventy-eight, north, to the north-west corner of township seventy-seven, north of range twenty-one west, thence south to the south-west corner of township seventy-four, north of range twenty-one west, thence east along the township line dividing townships seventy-three and seventy-four north, to the south-west corner of Mahaska county, thence north along the range line dividing ranges sixteen and seventeen, to the place of beginning.

"SECTION 2. That the county of Marion be, and the same is, hereby organized from and after the first Monday in August next, and the inhabitants of said county shall be entitled to the same privileges to which, by law, the inhabitants of other organized counties of this territory are entitled.

"SECTION 3. That for the purpose of organizing said county, it is hereby made the duty of the clerk of the district court of said county, and in case there should be no such clerk appointed and qualified, or for any cause said office should become vacant on or before the first Monday in August next, then it shall be the duty of the sheriff of Mahaska county to proceed immediately after the first Monday in August, to order a special election in said county, for the purpose of electing three county commissioners, one judge of probate, one county treasurer, one clerk of the board of county commissioners, one county surveyor, one county assessor, one sheriff, one coroner, one county recorder, and such number of justices of the peace and constables as may be directed

"Those who voted in the affirmative were—Messrs. Abbe, Hempstead, Summers, and Mr. President.

"Those who voted in the negative were—Messrs. Bradley, Brattain, Brierly, Coop, Lefler, Selby, Stephenson, and Thompson.

"The bill was then passed,

"And its title agreed to.

"Ordered, that the secretary acquaint the house of representatives therewith.

by the officer ordering the same, he having due regard for the convenience of the people, which special election shall be on the first Monday in September next; and that the officer ordering said election shall appoint as many places of election in said county as the convenience of the people may require, and shall appoint three judges of election for each place of holding in said county, and issue certificates of their appointment; and the officer ordering said election shall give at least ten days notice of the time and place of holding said election, by three advertisements, which shall be posted up at three of the most public places in the neighborhood, where each of the polls shall be opened.

"SECTION 4. That the officer ordering said election (aforesaid) shall receive and canvass the polls, and grant certificates to the persons elected to fill the several offices mentioned in this act; the officer ordering each of said elections shall discharge the duties of a clerk of the board of county commissioners, until there shall be one elected and qualified for said county.

"SECTION 5. Said election shall, in all cases not provided for in this act, be conducted according to the laws of this territory regulating general elections.

"SECTION 6. The officers elected under the provisions of this act shall hold their offices until the next general election, and until their successors are elected and qualified.

"SECTION 7. The officer ordering the election in said county shall return all the books and papers which may come into his hand by virtue of this act, to the clerk of the board of county commissioners of said county forthwith, after said clerk shall be elected and qualified.

"SECTION 8. That it shall be the duty of the sheriff of Ma-haska county to perform the duties required by this act, until the first Monday in September next, and until a sheriff shall be elected and qualified for said county of Marion, and the said sheriff shall be allowed the same fees for services rendered by him under the provisions of this act, that are allowed for similar services performed by the sheriff in similar cases.

"SECTION 9. That the clerk of the district court of said county of Marion may be appointed by the judge of said district, and qualified at any time after the passage of this act, but he shall not enter upon the duties of said office prior to the first day of August next.

"SECTION 10. That all actions at law in the district court for the county of Mahaska, commenced prior to the organization of the said county of Marion, where the parties, or either of them, reside in the county of Marion, shall be prosecuted to final judgment or decree, as fully and effectually as if this act had not passed.

"SECTION 11. That it shall be the duty of all justices of the peace residing within said county, to return all books and papers in their hands, appertaining to said office, to the next nearest justice of the peace which may be elected and qualified for said county, under the provisions of this act, and all suits at law which may be in the hands of such justice of the peace, and unfinished, shall be completed or prosecuted to final judgment, by the justice of the peace to whom such business or papers may have been returned.

"SECTION 12. That the county assessor elected under the provisions of this act for said county, shall assess the said county in the same manner, and be under the same obligations and liabilities, as now is, or may hereafter be, provided by law, in relation to the county assessor.

"SECTION 13. That Ezra M. Jones, of Van Buren county, Joseph Robinson, of Scott county, and James Montgomery, of Wapello county, be, and they are, hereby appointed commissioners to locate and establish the seat of justice of Marion county. Said commissioners, or a majority of them, shall meet at the house of Wilson Stanley,* in said county, on the second Monday in August next, or at such other time in the month of August next as may be agreed upon by them, in pursuance of their duties under this act.

*The residence of Wilson Stanley was on Lake Prairie. Ezra Jones failed to meet the other commissioners.

"SECTION 14. Said commissioners shall first take and subscribe to the following oath, or affirmation; to-wit: 'We do solemnly swear (or affirm) that we have no interest, either directly, or indirectly, in the location of the county seat of Marion county, and that we will faithfully and impartially examine the situation of said county, taking into consideration the future, as well as the present population of said county, and that we will take into consideration the best interests of the whole people of the county, and that we will not be influenced by any fee or reward, or any promise thereof'; which oath shall be administered by the clerk of the district court, or by some justice of the peace of said county of Marion, and the officer administering the same shall certify and file the same in the office of the clerk of the board of county commissioners of said county, whose duty it shall be to record the same.

"SECTION 15. Said commissioners, when met and qualified under the provisions of this act, shall proceed to locate the seat of justice of said county; and, as soon as they have come to a determination, they shall commit to writing the place so selected, with a particular description thereof, signed by the commissioners, in which such seat of justice is located, whose duty it shall be to record the same, and forever keep it on file in his office, and the place thus designated shall be the seat of justice of said county.

"SECTION 16. Said commissioners shall receive the sum of two dollars per day, while necessarily employed in the duties assigned to them by this act, and two dollars for each twenty miles travel in going and returning, to be paid out of the first funds arising from the sale of lots in said seat of justice.

"SECTION 17. The county of Marion shall form a part of the second judicial district, and it shall be the duty of the judge of said district to hold one term of said court in the same, on the twelfth Monday after the first Monday in March, in each year.

"SECTION 18. This act to take effect and be in force, from, and after its passage.

"(Signed.)

"JAMES M. MORGAN,

"*Speaker of the House of Rep's.*

"S. C. HASTINGS,

"*President of the Council.*

"Approved June 10, 1845.

"JOHN CHAMBERS, *Governor.*"

(To be continued.)

A SCENE IN THE EARLY HISTORY OF IOWA.

BY ELIPHALET PRICE.

Few individuals are aware of the many ludicrous and amusing scenes that were wont to transpire almost daily in the land office at Dubuque, during the early period of its location at that place, which are to be attributed to a want of a knowledge of the laws of congress regulating the disposal of the public domain, and prescribing the metes and bounds of its subdivisions by ranges, townships, and sections. There perhaps has been no person who has ever acted in the fiduciary character of register of that office, who was more esteemed and more extensively acquainted with the settlers upon the public domain than Colonel Thomas McNight, being one of the early pioneers of Dubuque, who had realized, in common with the first settlers of the country, many of the hardships and privations incident to a frontier life. His sympathies and friendship in consequence, were always warmly enlisted upon the side of the settler, whenever the entry of his home was threatened by a speculator, or endangered by the grasping desire of a neighbor to extend the area of his possessions. His social qualities, politeness, and good humor, always secured for him a visit from the farmer whenever business brought him to town.

It was in conformity with this established custom, that we called upon the Colonel one day, at his office, soon after he had entered upon its duties, for the purpose of ascertaining the number of notches placed to our credit by him upon a shingle, while seated upon a bur-oak stump in Main street, officiating as umpire of a shooting-match, in the summer of 1834. The Colonel having seated himself in his arm-chair, with his head thrown back upon the support of his locked hands, and eyes tightly closed, was about entering upon the consideration of the subject, when we were interrupted by a low rap at the door.

"Walk in," said the Colonel, stepping forward with his usual politeness, chair in hand, towards the door, which was already opened sufficiently wide to admit, by a sideling movement, the exact and entire physicial proportions of Larry McDermot, a native of the Emerald Isle, who, for the first time in his life, found himself standing bolt upright in a land office, grasping with both hands a little sealskin cap, the rim of which glided through his fingers with a rotary velocity that seemed to account for the loss of much of that grizzly, bristling, character, which it doubtless was wont to have in by-gone days. The profuse locks of sandy hair which swung from the caves of his forehead, with a slight curl at the ends, waved to and fro as he sidled across the room, cautiously surveying the apartment, and occasionally casting a suspicious glance over his shoulder at a highly colored map, that hung against the wall directly in his rear. Notwithstanding the evidences that surrounded him of the fact that he was in the land office, still there was a doubt seemingly existing in the mind of Mr. McDermot, for immediately approaching the Colonel with a low bow, he observed,—

"Your sarvant, Sir, an' is this the land office?"

"Yes, sir," said the Colonel.

"Well, thin, it's Larry McDermot I am, an' will yez be tilling me if the thray acres is intered, down in the big ravane, where Dinnis O'Drissdel an' meself mowed hay las' year for the Widdy McCormick's cow, jist forninst Bryon O'Shay's

claim, that it was afore he parted with it to Billy McGrath for a bit of hoorse?"

"What are the numbers of your claim?" observed the Colonel, turning over his township plats.

"Och! an' isn't yerself that should be knowing the numbers better nor I, when yez kape the land office, and have the rading of the books and the maps, and the likes o' that; an' do yez think it's the likes of Larry McDermot that's a big fool to be tilling the numbers of his land to every chap that would be wanting to inter a dacent place?"

The Colonel, who was somewhat familiar with this kind of customers, very good naturedly set himself to work to find out the whereabouts of Mr. McDermot's claim, and recollecting that Mr. McGrath had recently made an entry, he turned to the register of the same, and found that no land in its vicinity had been entered. Accordingly, Mr. McDermot was informed that the "thray acres in the big ravane" were unentered.

"Well, thin, it's plased I am to be knowing the same, an' if it's a drap of the crater that ye'd be taking this mornin', it's Larry McDermot that 'ill be paying for the same," said our hero.

His offer was politely declined by the Colonel, when Mr. McDermot departed, humming to himself as he descended the stairs,—

"I earn my money where I can,
And spend it like an Irishman."

Scarcely had we resumed the consideration of matters connected with the shooting-match, when another rap at the door was answered by the Colonel, with the usual invitation to walk in. Immediately the door flew open, when in stepped Mr. Billy Grassbottom, fresh from the country, with a market basket swung on each arm. "Ah, Mr. Grassbottom," said the Colonel, "how do you do?—how is Mrs. Grassbottom, and all the little 'Bottoms? Really, I am glad to see you; do take a seat." "Well, Colonel, we're all monstrous well," said Billy, "except little Benny, he's got the yaller measles con-

sider'bly struck in on him, an' a smart touch of the ager; besides, the doctor says he's gittin' the pollywads in the nose. But, Colonel, that's nuthin', I'm monstrous glad to see you. I cum down in a dreadful hurry. You see, Colonel, my wife Hetty, and Deacon Ciderhead had a fall-out down to quarterly meetin', consarnin' a scripter pint, and the deacon's wife tell'd the folks over to prair meetin' last Monday night, as how the deacon was goin' to enter our milk-house, so I put out right strate, with rather a nice lot of butter and eggs. And secin' as how we're old acquaintances, Colonel, I thought it wouldn't be altogether unnateral if we could strike a swap for them there forty acres with the milk house on." "Why, my dear sir," said the Colonel, "the regulations of the land office department require that we shall take for land nothing but—" "Now Colonel, now don't mention it, for gracious sake, don't; but jest look at that there butter," said Billy, placing his basket upon the table, and removing from the top a neat white linen towel, which exposed to view the ends of delicious rolls of butter, peeping with their ornamental indentations out from beneath the cooling embraces of sundry cabbage leaves. "Now Colonel, jest taste of that thar butter," continued Billy, "if you can find a speck, or a har, or a fly's leg in't, I'll give you leave to take my hat. I don't like to say it myself, Colonel, but somehow I can't help it, there ain't a woman in old Billy Eads's settlement that can beat my wife Hetty makin' butter. Between you and I, Colonel, I reckon the only fault she has, is, she's a little too pertickler. The other day as I was startin' down to mill with a grist, she hollered out to me, and sez she, 'Bill, if you dont come back and chunk up that thar milk-house, and keep them rotten pigs o' your'n from sleepin' in there o' nights, I'll scald every one on 'em!' Well, sure enough, Colonel, when I cum back from mill there war'nt a pig on the place that had a bristle on him to raise in a wolf fight. And now, Colonel, I want you to look at them eggs; if every one on 'em ain't fresh, I'll give you leave to take my hat," at the same time, Billy having taken an egg from the basket, threw his right foot forward, while the left

was so adjusted as to operate as a prop from the rear, and having given to his hands the scroll-like character of a spy-glass, with the egg at the further extremity, he placed the magnifying instrument to one eye and held it up to the light, while the other was kept securely closed by the corner of his mouth, which was screwed down to an angle of forty-three degrees, with perhaps a fraction over. Having satisfied himself that all was right, so far as the contents of the egg were concerned, he observed, "Now, Colonel, I want you to look at that thar egg; if you see a chickin wigglin' 'round in it I'll give you leave to take my hat." The Colonel, not wishing to withhold the gratification it seemingly would be to Mr. Grassbottom to give to the character of the egg a proper investigation, at once expressed a willingness to comply with his request, and having assumed the proper attitude under Billy's direction, proceeded to inspect its interior qualities, but, unfortunately, having given a downward screw too much upon the corner of his mouth, the consequence was, the shell yielded to the pressure of his grasp, which clearly demonstrated the truth of Billy's statement, "there war'nt no chicken there," but the odor which pervaded the room fully entitled the Colonel to Billy's hat, which had previously been risked on the genuineness of the egg. Just then we thought we saw a change come over the countenance of the Colonel, like to that of Macbeth in the dagger scene, as he stood with arms extended in front, and fingers widely spread, from between which dripped the contents of the egg directly upon the shingle-preserved reminiscence of the shooting-match. In the meantime Billy had decamped with his butter and eggs, leaving the milk-house exposed to the threat of Deacon Ciderhead.

RECOLLECTIONS OF THE EARLY SETTLEMENT OF
NORTHWESTERN IOWA.

BY N. LEVERING, MECKLIN, MO.

(Continued from page 34.)

It was from the top of Floyd's Bluff, a distance of about two hundred feet, down into the muddy waters of the Missouri river below, almost perpendicular, that "Jo. Lean," a Canadian Frenchman, made a fearful leap on his pony, as related to me by a daughter of Judge Townsley, who, at the time of the occurrence, resided in Tomsontown, at the foot of the bluff. Jo., while laboring under the exhilarating influence of sod-corn whisky, and, doubtless, thirsting for "Sam Patch" glory, made the fearful leap. My informant said that an eyewitness to the frightful scene at once informed her father's family of the occurrence, when she, with other members of the family, hastened to the spot, expecting to find the lifeless bodies of Jo. and pony, but, strange to say, the injuries received by both were only of a slight character; the pony was quietly feeding near the water's edge, and its reckless rider stretched out in the mud near by, resting upon his elbow, and ejaculating in broken French, "Me big man, God damn; me no hurt." Jo. was quite content with the experiment, and has not since that time manifested any desire to repeat it.

At the confluence of the Big Sioux and Missouri rivers is quite a high elevation, or bluff, on the Iowa side, overlooking much beautiful and fertile country for many miles. Upon this picturesque spot slumber the ashes of the once brave and sagacious Sioux chieftain, "War Eagle," with several members of his family. The Sioux have a very peculiar method of disposing of their dead. When one dies, the deceased is wrapped up in his blanket, or robe, and then laid up in a tree top, or placed upon a scaffold made of poles for that purpose. This is done, that there may be no obstruction to impede the spirit in its flight to the new hunting-grounds. War Eagle

was laid in a grave, as most of the notables of the tribe are. The grave was about four feet in depth; the corpse was wrapped in a blanket, and laid in without a coffin; sticks were then placed across the top of the grave and covered over with earth, leaving an open space at the head of the grave of about one foot square, that the spirit of the departed might have egress, as it winged its way to the celestial hunting-grounds on high.

War Eagle was a rare specimen of his race—tall, athletic, muscular, with massive forehead, bespeaking an amount of intelligence seldom found among his race. A few words of his burning eloquence was sufficient to arouse his people to war, and deeds of blood, or to bury the tomahawk, and sheath the scalping-knife, and retire to the shades of peace. He was zealous in the defense of the rights of his people, and against any encroachment upon that soil that nature, and nature's God, had given them an inalienable right to.

The love of country and people is not confined to civilized life alone, but swells the heart, and nerves the arm, of the untutored red man of the forest. War Eagle was, emphatically, one of nature's noblest children, upon whom she had bestowed much intellect and ability. In point of oratory, he was excelled by but few of the leading orators of his age. But, notwithstanding all his great natural abilities, and good qualities, like many of his people, he yielded to that baneful monster, alcohol, who is daily fastening his poisonous fangs upon the vitals of thousands, and with his fiery tail sweeping countless numbers from the stage of action. It was when in a beastly state of intoxication, he laid out upon the cold ground, with no covering but the starry-decked heavens, and, drenched with a heavy rain, he took a severe cold, from which he never recovered.

In the latter part of June, 1857, the steam ferryboat "Lewis Burns," that plied between Sioux City and Covington, on the Nebraska side of the river, made an excursion trip up the Big Sioux river, to ascertain the extent of its navigation, quite a number of ladies and gentlemen of Sioux City accompanying

the excursion. About 8 o'clock A. M. all were summoned aboard (the writer of this sketch being among the number). We shoved off, and, after running about two miles, we left "Old Muddy" and soon found ourselves gliding upon the crystal waters of the Big Sioux. The beautiful scenery presented to the eye from our position in the pilot-house was of such striking beauty that it will never be erased from my memory. On the west of us was stretched out for miles the rich and fertile prairies of Dakota, covered with nature's green robes, embellished with fragrant flowers of every hue. On the east were spread out the broad and swelling prairies of Iowa, with here, rugged bluffs covered with the most beautiful foliage, the winged songsters of the air reveling amid the leafy boughs and warbling their sweetest strains, and there, a beautiful valley, of some crystal stream that wound its serpentine form through leafy groves, whilst its sparkling waters rushed on with impetuous bound, as if anxious to be lost in the bright bosom of the Sioux. Our bark would occasionally land, in order that the excursionists might enjoy a ramble in the groves, and pluck the beautiful flowers that were woven into wreaths and decorated our boat and the heads of our lady passengers, which gave the "Lewis Burns" somewhat the appearance of a flower garden. As our boat scudded along we frequently sounded the water, and found it not less than seven, nor more than sixteen, feet in depth. After running about forty miles without the least obstruction, the late hour of the day admonished us that it was time to retrace our steps, when we very reluctantly wheeled about our bark for home, while all were delighted with the excursion trip on the first boat that ever navigated the Big Sioux.

(To be continued.)

EARLY DAYS IN KEOKUK.

There is no man, I take it, that is not proud of being an Iowan. All men, and women too, have, or should have, a love for their early associations and their early homes, but there is no Iowan that does not feel more proud of his adopted, than his native, state. And I hold that all this state greatness is the result of the foundation laid by the "old settlers," and more particularly the "old settlers," of Keokuk, up to about 1850, when civilization first began to require a police force to preserve order and watch them. Up to that time the "old citizens" managed their own affairs in their own way. At that time almost all the citizens had nick-names—names that were more appropriate to their characters than their real names, such as "Sweet William," "Doublehead," "Heels," and others, not so pleasant to repeat. "Sweet William" kept the "Rapids Hotel," the leading hotel of the place for many years. Sweet William and wife were true noble Christians; they not only kept hotel, but they had the only livery stable, the only dray, and the only water cart, in the town. The livery stock was two horses,—Boreas, named after the steamer of that name then running to Keokuk as a packet, and which could be heard for miles before her arrival. Boreas had the heaves, but did duty as dray and water cart horse. Sometimes he would refuse to draw his load; on such occasions Sweet William would *talk to him*, insisting that he had fed on oats that morning, and that it was very ungrateful in him not to work fairly. Boreas would, generally, after such talks, do his duty. Arab was the saddle horse, and was named Arab because he was supposed to have all the bad qualities of an Arab steed; he was small of body, but long-legged.

Amongst other things to make it amiable at Keokuk about this time, was the removal of Hummer from Iowa City to Keokuk, to establish his new zion that was not to be consumed at the last day, and the pleasant uncertainty of the title to the "Half-Breed Tract." Some Boston friend of Alfred Hibbard, of Des Moines county, commissioned H. to go to Keokuk and

look after his interest as one of the owners of that tract. Hibbard got to Keokuk in the evening, and stopped at the Rapids. At supper there was a full table, a large part being the officers and crew of a steamer that had frozen up a few miles above the rapids, and the crew had left and were on their way to St. Louis. Soon after setting down at the table, the steamboat mate commenced a quarrel with a pale, weakly, Mormon, who was then working for Charley Moore, a Blacksmith. Moore took up the quarrel, and, with his chair knocked down the mate. This was a signal for a general free fight. The table was overturned, Sweet William prayed and begged, but the fight went on, until Moore, Devil Creek Bill Clark, and other of their friends, drove from the house the steamboat party. Hibbard, escaping to his room, locked and bolted the door and slept. Just at daylight he was aroused by hearing loud talk in the street. On looking out, he saw Dan Hine with a shot gun presented at Moore, and threatening to shoot him, Moore quietly standing, advising a true shot if one was made. Capt. Ad. Hine and other friends interfered and took off Dan. Hibbard then went to the stable to look after his horses, but he found the stable door open, and his horses gone. Sweet William at once saddled Arab, and Hibbard pursued. Eight miles above town he overtook his horses, but in getting down from Arab the saddle turned, and Arab dashed from him, kicking up, down, and all other ways; this started his own horses, and they ran so that he had to follow them eight miles farther before he overtook and captured them. Arab got home safe, minus the saddle. Hibbard got back for late dinner, but that is the last night that he has ever stayed in Keokuk. Up to my latest dates from him, he had not even walked on shore in that town from a steamboat, and the Boston friend had to get another agent to look after his land.

About this time, a tooth carpenter from New York city, by the name of Shotwell, put out his shingle, probably the first shingle of the kind put out in the territory. Shotwell, of course, stopped at the Rapids. He had a fine suit of black, suitable to Broadway, but not exactly such as was then worn

in Keokuk. He had been a spoiled child of good fortune, as he assumed, was greatly offended at the want of refinement, good manners, and good society around him, and let no opportunity escape for letting the people know it. Tooth carpentering was then in its infancy in Keokuk; added to that, Shotwell's manners, he soon became strapped, and his suit thread-bare; in fact, he was soon without money to provide the liquor necessary to maintain the dignity of so important a personage, and he would occasionally join gentlemen in a social glass when scarcely invited.

Besides the Rapids hotel, citizen Brown had started a little tavern in the side-hill, the lower floor used as a dram shop, and the hotel above. A little tailor got leave to put up a board in one corner of the bar-room for a shop; there was hardly room to sit on his three-cornered board. One evening Brown gave a party, and while the dance was going on above, Captain Dierdoff, a merchant, and now living in Oregon, and Captain Add. Hine, came in to take a drink; Shotwell walked up to join them; Dierdoff turned upon him, and being a powerful man, he took hold of S.'s coat and literally tore it from him. The little tailor, seeing a big man on a little one, jumped from his board to separate them, when Hine gave him a lick and push that sent him back under his bench. Captain Spence Ball, a sort of Hercules, the son-in-law of Brown, hearing the row below came rushing down, swearing that if there was any fighting to be done, he wanted a hand in it. The little tailor crawled out from under his bench, and said to Ball, "You can take my hand, sir, if you want to; I am satisfied." This little speech was the fortune of the little tailor. The tooth carpenter left. I have not heard of him since, and it was many years after before a successor put out his shingle.

When the city was incorporated in 1844, the city council established a wharfage tax, and made "Citizen Brown" wharf-master. Brown had a man of all work about his house,—a little Irishman by the name of Tommy Walker. Tommy was short-legged, and talked through his nose, but was faithful and honest in all things. There was nothing like a wharf; not a

dollar had been expended to make a landing, by the city, or individuals. The only place a boat could land at low water, was at the mouth of Main street, where a bar was made by the wash from the hill. The first taxable landing, after the passage of the wharfage ordinance, was a little raft of lumber, from Wisconsin, owned and run by a perfect specimen of a long, gangling, bony, Yankee, from Maine. The raft was the result of a winter's lumbering. It was poor lumber, and poorer sale, at that day. The wharfage was *five bits*, a rather formidable sum for that time. Tommy Walker was sent to collect the tax. The lumberman, with many and hard oaths refused to pay. Tommy went to Munger, a lawyer, and one of the city fathers, for advice. Tommy said the raftsmen might not "mean to fight, but he talked badly." Munger and several of us went down with Tommy to secure the "five bits." The money was paid under bitter protest. Tommy, with proud satisfaction at his success, walked on shore, holding the money, all in silver, in his palm, and turned to take a last look at his vanquished enemy. This enraged the raftsmen, and when he opened his full batteries, and such swearing has never been excelled, even in Keokuk, winding up against the Irish in general. When he stopped from sheer exhaustion, Tommy, in his nasal tone, holding up the money, said: "Permit me to say to you, sir, that I appreciate this money much more than I do your language." This was too much for the raftsmen; he broke for Tommy, when, if ever short duck-legs were made to do duty, they were on that occasion. Tommy had about twenty feet the start, and he made his employer's door by a neck. On the raftsmen's return to his raft we all gave him a wide berth. I think that Yankee raftsmen has not been in Keokuk since.

The first church that was organized in Keokuk was of the true blue Presbyterian, organized about 1843. John Antichrist was the principle man in the church, religiously and financially. Sweet William and wife were members. An Englishman was the minister. The church was not large, but made up in general cussedness what it lacked in numbers. John Antichrist had the only ox team in the town, and had a

monopoly of the heavy hauling, as Sweet William had of the livery, dray, and water-cart business. John Antichrist had formerly lived and kept hotel near Matty Van Buren, and has often shown me his books, with a charge of twenty-five cents against Matty for night's lodging, still unpaid. John was not exactly a lawyer, but was always in the law. He could not have enjoyed his Sunday prayer if he had missed a law-suit during the week. His law-suits were about all conceivable things, and with all classes of persons, not sparing his brother church members. Finally, when the great debt of nature could be put off no longer by demurrer or special pleading, John made a will leaving forty acres of land adjoining the town, to the first Congregational church that might be organized in the town. This will furnished food for the lawyers of Keokuk, and kept John in remembrance for many years, and, may be, up to date. The land became very valuable, and the Congregational church was organized, but I think the lawyers got more of the proceeds of the land than the church has. Good Sweet William and Aunt Nancy have gone home to a happy reward from all of their troubles in the "Rapids," and with "Boreas," and "Arab." And I am sure that John Antichrist had troubles enough here below to last for all time to come; and, besides, he was one of the kindest and most accommodating neighbors, and best of citizens, except you had to law with him occasionally. He would loan you money at any time to get to sue you for it, and then loan you the money to pay the cost. Poor John! there are none such left. The good old days of Keokuk are gone, never to return. Houses then did not need to be locked; tools were safe to be left over night where you had used them in the day; goods could lay on the wharf untouched. But, alas! civilization has changed all this. Refinement and the police go hand and hand.

T.

Washington, D. C., February 14, 1870.

THE DES MOINES RAPIDS OF THE MISSISSIPPI RIVER,
AND ITS IMPROVEMENTS.

BY LIEUT. J. E. GRIFFITH, U. S. ENGINEERS, ASSISTANT TO GEN.
WILSON, U. S. A.

The Des Moines, or Lower Rapids, are situated near the mouth of the Des Moines river, and extend from Keokuk to Montrose, a distance of eleven miles.

Above these rapids the contour lines of the range of bluffs on either side, indicate that at some period in the history of the Mississippi Valley, the river widened, and assumed the dimensions of a small lake. There are several geological arguments which go to prove this fact.

The outlet of this lake was at the present head of the rapids. The waters, by their ceaseless action, through ages of time, aided by ice and other geological agencies, gradually eroded a channel through the rocks, until it has increased to its present dimensions.

The bluffs on each side of the river are contiguous to the shore line, and vary from one hundred to two hundred and fifty feet above the water. "The river bottom is a broad, smooth rock, seamed by a narrow, crooked channel, or, in some places, several of them, alternately widening and narrowing, shoaling and deepening; nowhere good navigation. The rapids, therefore, are not broken and noisy, but, the descent being gradual, the water flows over its bed in a broad, smooth, unbroken sheet, with nothing but the faintest ripple on its surface to indicate the dangerous places. The casual observer would not suspect the presence of the rapids, were he not informed beforehand." The character of the bottom is "cherty" limestone, belonging to the Keokuk group of the carboniferous series.

The fall in eleven miles is twenty-two feet; average width of Mississippi river, four thousand five hundred feet; its mean

depth, two and four-tenths feet; and its mean surface velocity is two and eighty-eight hundredths feet per second.

The tortuous, uncertain channel over these rapids precludes the possibility of any craft navigating them in low water. Even if the channel itself was wide and deep, no pilot would dare to undertake to pass them at night.

The worst portions of the rapids are called by river men, "chains," of which there are five principle ones. These "chains" are miniature ridges, stretching diagonally across the river, and, as before stated, have worn upon them a smooth surface, with a narrow channel, or a series of them, cut through by the action of the water. These chains lie between Keokuk and Nashville (Iowa), a distance of eight miles.

At Montrose, the head of the rapids, between the island and the main shore, there is an extensive "patch" of rock which requires excavation. The only feasible plan to remove this, will be to enclose the above "patches" by a coffer dam, pump the water out, and blast a channel two hundred feet wide and five feet deep. The question of improving the rapids has impressed itself upon the minds of the people of this country for many years past. The great want of it has been felt by steamboatmen. As early as 1830 the general government took steps to survey the locality, and made preparations for the improvement. The actual annual cost to river navigation on account of these rapids, for lighterage, reshipment by rail, &c., has varied from \$200,000 to \$600,000. No one can, therefore, deny the expediency of the great work required at this point. As the entire Mississippi Valley is directly interested in this matter, the people of the north-west have ever had an earnest desire to have the Father of Waters freed from all obstructions to commerce and travel. The will of these people has been repeatedly expressed by their representatives in commercial conventions, and elsewhere, and by that powerful exponent of popular thought, the press. The only question ever has been, how to make this improvement to best subserve the general interest.

The channel excavation at Montrose is estimated to cost \$620,000. From Nashville to Keokuk a fall of eighteen feet occurs, and, as it constitutes the most formidable barrier to navigation, it requires the most attention. It was, at one time, proposed to excavate a channel, in midstream, two hundred feet wide, and four feet deep, the entire length of the rapids. The objection to this, in addition to its great cost, would have been the danger of its navigation at night, and when windy; and as a boat would necessarily move slower, the proportionate difficulty of its management. Several other plans, such as the construction of a continuous dam, with locks across the entire stream, and various modifications of wing dams, sluices and chutes, for narrowing and deepening the thread of the current, have been suggested and carefully considered, but all rejected, as involving too many elements of uncertainty to warrant their application to a river of such magnitude as the Mississippi.

In 1837, Lieut. (since General C. S. A.) Robert E. Lee made a survey and map of the rapids, submitting at the same time various plans of improvements. Subsequently Lieut. (since Maj. Gen. U. S. A.) G. K. Warren extended the investigation, and made more professional researches into the practicability of making the rapids navigable. It was left to Brevet Major General J. H. Wilson to carry out the only feasible plan for the long looked-for passage across the lower rapids. General Wilson was assigned, in 1866, to the charge of the Des Moines and Rock Island rapids of the Mississippi river. The improvement, as carried out by him, consists of an independent ship canal, seven and six-tenths miles long, reaching on the Iowa side of the river from Nashville to Keokuk, to be two hundred and fifty feet wide in excavation, and from three hundred to four hundred feet in embankment; in extreme low water to have a depth of five feet.

In this canal will be three locks — one guard lock at the upper end, and two lift locks. The lower lock at Keokuk, to have a lift of ten and three-quarters feet; the middle lock two miles above, with a lift of eight feet. The guard lock will be so con-

structed that in very high water it, too, can be used as a lift lock. Each lock is to be three hundred and fifty feet between the mitre sills, eighty feet wide in the chamber, and to be filled through culverts leading from each gate recess, and passing in rear of the main walls, discharging through openings in the chamber walls. It is expected to fill each lock in three or five minutes. The canal is excavated to such a depth, and the embankment wells raised to such a height, as to meet the requirements of the low and high waters of 1864 and 1851, respectively. The difference between the above stages of water at Keokuk is twenty and seventy-two hundredths feet. As a consequence, extraordinary provisions must be made to prepare for these two extremes.

The river embankment of the canal consists of the best earth, protected by a well laid rip-rap (slope) wall. When completed it will be ten feet wide on top, and the sides having the slope of one and one-half base to one vertical on outside, and one and one-quarter to one on inside, giving an average height of twenty feet, and will be two feet above high-water mark of 1851. The bank is constructed by first throwing in broken stone to such a height above water as to warrant the safety of laying a track upon it. This "toe," or base of rip-rap, forms a nucleus, on the inside of which earth is thrown. This is widened and raised to the required dimensions. When this becomes water-tight, cross-banks are constructed from the river bank to the shore line, at irregular intervals to enclose the portions requiring excavation. A series of pits are thus enclosed, which are pumped dry, and the prism of the canal is brought to the required grade. The material thus excavated goes to form bank and wall in other places; by this means no material is wasted. When the earth embankment is completed, and excavation done, the cross-banks are removed and water let in.

The locks are constructed of the best magnesian limestone, laid in hydraulic cement. The stone is quarried in the line of bluffs adjacent to the rapids. It is of the best quality, and before acceptance into the work, each stone passes through a

rigid inspection by an engineer in charge. The walls of the lower lock are to be twenty-three and five-twelfths feet high; middle lock, twenty feet; and guard lock from eighteen to twenty feet. All of them ten feet wide on bottom, six feet wide on top and provided with suitable buttresses. The face of the chamber has a batter of one-half inch to one foot. Wooden gates, with iron heel-posts and quoin-plates will be supported by iron suspension posts held in position by rods anchored into the masonry. A stationary steam engine, by means of appropriate shaftings, will open and close the gates and wickets.

This completes the general plans of the improvement. The carrying out of the details is the work of time, of much labor, and requiring patience to battle the elements. The cost of the entire work, inclusive of the Montrose work, was estimated by General Wilson, in 1866, to be \$2,710,000. Of this amount \$1,380,000 has already been appropriated by Congress, inclusive of the \$200,000 obtained in the early part of the past winter. This amount will be expended before the 1st of July, 1870. The time required to construct the work will depend to a great extent upon the will of Congress. If suitable appropriations are made, it *can be* completed in one and one-half years. If not, it is impossible to tell when a boat can go through the canal. It is poor economy on the part of the general government to make small appropriations for this improvement. The locks, the canal, and the channel excavation at Montrose and above Nashville, can be carried on simultaneously, without interfering in the least with one another. If small and inadequate appropriations are made, the work progresses slowly, much material is lost by high water, and the contingent expenses increase annually.

Roughly estimated, three-fifths of the canal work are finished. One (the lower) lock is half completed. There is nothing done at either of the other locks; nothing at Montrose. A great portion of the stone is delivered for the three locks. The cost of the maintenance of the canal will be insignificant for many years to come. A dredge for the canal, and an (steam) engineer at each lock, are all the positive expenses.

The water can be drawn out of the two levels in the winter, and canal cleaned. Several small streams empty into the canal; deposits from their waters will be held by suitable "catch-pools" in their basins near the outlet.

The present contractors for the canal work, are Messrs. Dull and Williams, of Keokuk; for the lower lock, E. Owen, of Albany, N. Y.; for the furnishing and delivery of stone, Messrs. Case and Van Wagener, of Fulton, N. Y.; for castings, Morris Sellers, of Keokuk; for cement, James Clark, of Utica, Ills.; and for timber, James Carroll, of Cairo, Illinois.

For a detailed statement of expenditures, reports of operations, &c., reference can be had to the annual reports of Brevet Major General A. A. Humphreys, Chief of Engineers, U. S. A., for the years 1867, 1868, 1869, and 1870.

During the past year an average daily force of one thousand men have been employed. Payments are made soon after each monthly estimate is taken. Wages have been higher than upon any other work in this portion of the country. From one-third to two-thirds of the employes are Swedes. The river bank is dotted with the rustic abodes of these workmen. Shanties built by the contractors are rented to the men at low figures. This offers inducements for permanent location, and drives away, to a certain extent, the ordinary river roustabouts.

- A visit to the Des Moines Rapids Improvement is profitable in its results to the engineer, geologist, artist, and tourist.

ROBERT LUCAS, THE FIRST GOVERNOR OF IOWA.

(Continued from page 50.)

Under an act of congress "to divide the territory of Wisconsin and to establish the territorial government of Iowa," approved June 12, 1838, the subject of our sketch was appointed by President Van Buren, governor of the territory of Iowa, a position which carried with it, *ex officio*, the duties and responsibilities, in addition to those of executive, of superintendent of Indian affairs. His commission, transmitted to him by John Forsyth, then secretary of state of the United States, bore date the 7th of July, 1838, and reached him at his residence at Piketon, Pike county, Ohio, ten days afterwards.

His appointment was effected through the instrumentality of Thomas L. Hamer, of Brown county, Ohio, afterwards a distinguished field and general officer in the Mexican war, but then a member of congress from Ohio, and to whom President Grant was indebted for his cadetship at West Point—an appointment which, however, had been first offered to Gov. Lucas's son, Edward W. Lucas, but declined.*

It was a rule with Gov. Lucas to answer all business letters immediately on their reception; and, accordingly, we find him in this case, writing his letter of acceptance the same day his commission was received, saying he would start in a few days for the new territory, and assuring the secretary that every exertion would be made by him "to discharge the duties of the appointment in accordance with the wishes of the administration of the general government, and to the satisfaction of the American people."

*Ed. Lucas, in the course of events, lived to render Grant gallant assistance at Pittsburg Landing, as Lieutenant Colonel of the 14th Iowa volunteers, which was captured with all its officers present at Shiloh. After the war, Col. Lucas drew from the political wheel of fortune which President Johnson turned, a postmaster's commission at Iowa City, but was jostled out of it, through the inexorable requirements of party policy in 1869, by the distinguished soldier and statesman who had succeeded him in the nomination to West Point, and who had acknowledged his prowess at Shiloh.

A journey from the interior of Ohio to the banks of the upper Mississippi was then a matter of weeks, and not of hours, as now. So that, although Gov. Lucas set out from his home on the 25th of July, delaying on his route only a few days at Cincinnati, to make arrangements for the selection of the books for a territorial library, for which congress had appropriated five thousand dollars, it was not till nearly the middle of August that he reached Burlington (then the temporary seat of the territorial government), whose citizens received him with the honor of a public dinner.

His family remained at their home in Ohio, and did not all join him in Iowa for more than a year after his appointment, but he was accompanied from Cincinnati to Burlington by Jesse Williams, as clerk in the Indian department, and by Theodore S. Parvin, as his private secretary. Williams, who now lives in Sioux City, subsequently became the secretary of the territory; and Parvin, now a professor in the State University of Iowa, but then a youth fresh from college (whom the governor took a fancy to at first sight at a social gathering of a mutual friend in Cincinnati, while Lucas was on his way hither), after serving about a year as secretary, received the appointment of district attorney for the central district, when the territory was divided into three judicial districts.

William B. Conway, of Pittsburgh, Pennsylvania, who had been appointed secretary of the territory some little time before Lucas was commissioned governor, had reached Iowa about a month in advance of the latter, and had hastily and officiously assumed the functions of executive, and on Lucas's arrival, he found him with the anxious air of an expiring man with a whole will to write, but only time for a codicil, busy issuing proclamations, and making appointments as acting governor. It is difficult, especially for weak and vain men, when once usurped, to lay down the scepter of power, and it is not, therefore, strange, that Mr. Conway, on the arrival of the governor, subsided only with a struggle from the coveted office of governor, to the less attractive and imposing one of secretary; nor is it to be wondered at that he frequently after-

wards displayed, by indifference and inattention to his duties as secretary, his dissatisfaction with his official position, and by plotting and intriguing with members of the first legislature, betrayed his designs and hopes of eventually supplanting the executive.

Gov. Lucas's first official act, as executive of Iowa, was to issue a proclamation, dated August 13, 1838, dividing the territory into eight representative districts, apportioning the members of the council and house of representatives among the nineteen counties then composing the territory, and appointing the second Monday in September ensuing, for the election of members of the legislative assembly and a delegate to Congress.

At the first meeting of the legislative assembly, which took place by appointment of the governor on the first Monday of November, 1838, an "iron-clad oath" was administered to the members by the governor in person, to the following effect:—

"You, and each of you, do solemnly swear upon the holy evangelists of Almighty God, the Searcher of hearts, that you will support the constitution of the United States, the act of congress to divide the territory of Wisconsin and to establish the territorial government of Iowa, and that you will faithfully, impartially, and to the best of your judgment and ability, discharge the duties of a member of the council (or house of representatives), so help you God."

To those who were conscientiously prevented from swearing on the Bible, but affirmed with uplifted hand, the last part of the adjuration was changed to the words, "as you shall answer to God in the great day."

His first message to the legislative assembly, after its organization, was dated November 12, 1838. As it was to suggest a complete code of laws for the government of a new commonwealth, it necessarily embraced a multiplicity of subjects. By the act of Congress erecting the territory of Iowa, it was provided that, until the legislature of Iowa should enact others, the laws of Wisconsin (which were themselves blended with those of Michigan, on account of the former territorial

connection of these two communities) should, except when incompatible with the act of congress dividing the two territories, be in force in Iowa,—a necessary provision for the time being, but a source, nevertheless, while it lasted, of constant confusion and doubt. Gov. Lucas, therefore, recommended the adoption of a system of laws, to take the place of those of Wisconsin, which would be adapted to the wants of Iowa, and suggested the appointment of a committee of three persons of legal ability and experience, to digest, during the recess of the legislature, a system of laws for consideration and adoption at the next session, advising, at the same time, the exclusion from them of all technical fictions. In this connection the governor took occasion to express his disapprobation of laws then in force in some of the states, providing for imprisonment for debt, and his approval of the death penalty for murder, only because the condition of the territory, without secure prisons for the safe keeping of dangerous offenders, made it necessary. He advised the discontinuance of public executions, and the infliction of the extreme penalty in the presence only of the sheriff and a suitable number of witnesses. The recent violent death of a member-elect of the house of representatives in a street quarrel, was employed as an occasion for protesting against the pernicious practice of carrying concealed weapons, which he very much deprecated.

There was one commendable project the governor had very much at heart, and which he never got tired urging strenuously upon the legislature—the organization, upon a broad basis, of a liberal system of common schools, and two vices, which with fervor he recommended the legislature to eradicate—gambling and intemperance, which he considered the fountains of all crimes. The organization of the militia was also one of his pet measures, which he lost no opportunity of pressing upon the attention of the law-makers, and with good reason; for the immediate neighbors of the pioneers to the north and west were the red-hued denizens of the pineries and prairies, experts with the scalping-knife and bow, who shook hands with the “whites” over their annuities at the agency

once a year, and the remainder of the time shook tomahawks at the "pale-faces."

There was a broad difference between the views of a majority of this legislative assembly and the governor, on many points of authority, as well as on questions of public policy and expediency. The governor, exercising his undoubted right, had interposed his veto to a number of acts passed by the legislative assembly, from which they were unable to take refuge in a two-thirds vote, as the organic act plainly set forth that no act of the legislature should have the force of law till approved by the governor. Secretary Conway was evidently greatly instrumental in fomenting the discord between the governor and legislature, which ultimately culminated in a petition, signed by a large number of both houses of the legislature, to the president, praying the removal of Governor Lucas from the executive chair.

This memorial, which was dated the 12th of January, 1839, and signed by eight of the members of the council, and by seven members of the house of representatives, alleged that under Gov. Lucas's administration, any measure called for by the people met with an executive veto unless it agreed with his whims of the moment, and that he exercised his veto in all cases without regard to judgment or propriety, and without respect to the feelings or rights of the legislature; that few members of either house called on him, and that those who did were liable to be treated with silent contempt; that he had refused to inform the house whether he had approved the laws they had passed; that to some of the laws he had given only a qualified approval, and the fate of others remained unknown, and that, finally, an act conferring the privilege of banking on certain parties, distasteful to all, though supported by some of the democrats, "to try the democracy of the governor," was not only approved by him, but his action thereon "foreknown and pledged."

In addition to this, a memorial for the governor's removal was passed by both houses, signed in due form by their presiding officers, and transmitted to the president. It was written

in a grandiloquent style, as if the signers, instead of intriguing against a faithful public servant, were arraigning a second George the Third before the withering judgment of mankind, and thereby incurring for themselves liability to the halters and prisons of tyrants, instead of taking their chances for the succession.

These pretended martyrs averred that he had "refused to place his signature to laws the most salutary and essential to the public good, without even deigning to make known his objections thereto," and had "withheld others of equal importance without giving them to understand what, or whether, any executive action was taken in regard to them, and that, too, with a view to subject their action to his will; that he had declared himself paramount to the people's representatives, by officially declaring that, independent of him, they had no power; that he had usurped the judicial authority by dictating in notes to his approval of many laws, the construction which should be given them; that he had declined, in a coarse and uncourteous manner, to inform them what laws had received his sanction; that he had refused to consider recommendations of applicants for office from members from the district or county in which the applicants resided, and indirectly had declared his intention not to regard such recommendations; that he had, on various occasions, anticipated the action of the executive department in regard to public measures before they were officially before him, in a manner indicative of a design to make the legislative assembly subservient to his will; that while officiously scrupulous in relation to disbursements of money for the expenses of the legislative assembly, he had sent his own bills to the secretary for payment without authority of law; that he had declared his determination to veto all bills for which he would not vote as a member of the assembly; that he had appointed persons to office who had neither domicile nor interest in Iowa, some of whom were his relatives; and that he had manifested a want of ability to govern in peace or command in war, which was to them alarming, and that he was, in the language of the Declaration of Independence, "unfit to be the ruler of a free people."

These complaints to the president were ably met by a "protest," signed by John Frierson, James Brierly, Samuel Parker, George H. Beeler, G. S. Bailey, William Patterson, William G. Coop, and Calvin J. Price, members of the house of representatives, who gave the following reasons for dissenting from the action of the majority, which form an ample refutation of the charges of the conspirators:

"1st. Because we believe the object intended to be effected by the memorial, as also the sentiments therein contained, to be contrary to the wishes and opinions of our immediate constituents at least, if not also contrary to the wishes and opinions of a very large majority of the people of this territory.

"2d. Because the memorial was not presented to this house for consideration until near the close of the session, when the rules were suspended, and it was rushed through without affording time for a proper consideration of its contents.

"3d. Because, in reviewing the official acts of the governor of this territory, candor compels us to acknowledge that, while we see but little to censure, there is much to commend, so far, at least, as his acts have been connected with the proceedings of this branch of the legislative assembly.

"4th. While all admit his honesty and purity of purpose — while none but bitter political opponents pretend to doubt his patriotism — we, at least, all confess, and desire to bear witness, that we do not see in a single one of his official acts the slightest departure from any one of the provisions of the organic law, nor the least violation of any of the constitutional provisions of the general government. And we believe, further, not only that he has, in his official actions, been governed by a sincere wish to promote the best and most permanent interests of this territory, local and general, but also that his acts generally will tend unerringly to that desired consummation."

The protest then went on to analyze, in the order they were made, the charges brought against the governor.

To the first charge, that the governor had refused to attach his name to legislative acts essential to the public good, the

protesters asserted that they knew of none such, and that they did not believe that he had refused to sanction any law which did not, in some of its provisions, contravene the laws of congress, the ordinance of 1787, or the Constitution of the United States. To the allegation that he had declared the legislative assembly to be without power independent of the governor, they simply called attention to the fact that the act of congress organizing the territory *said the same thing*. They admitted the truth of the charge of his refusing to inform the legislative assembly what bills he had signed, but showed that they had been properly and promptly deposited with the secretary of the territory, whose duty it was to have transmitted them to the legislature, and met that of his pocketing bills, with the statement of his undeniable practice of placing all bills when signed by him in the hands of the secretary. As to his refusing to appoint applicants for office on the recommendation of the members from the district where the candidates resided, they proved that the members themselves were to blame in this regard, in not agreeing among themselves in their recommendations,—members from the same district frequently recommending different parties for the same place. To the count that the governor had refused to place himself on speaking terms with members of the legislature, they replied that this arose from preoccupation on the part of the governor, and that his most intimate friends would sometimes present themselves at his office when it was thronged with business visitors, without receiving so much as a nod from the executive. The accusation of his threatening to veto bills, they characterized as one based on street rumor, unsubstantial, if true, for a foundation for impeachment. To the imputation that he had objected to the payment of the legislative expenses, while drawing money for himself without authority of law, which was predicated on a letter to the legislature from Secretary Conway (embracing communications concerning the disbursements of the territory between himself and the governor), they answered by exhibiting that Conway had suppressed part of the correspondence between himself and the

governor, and cited the fact that a resolution calling for the concealed letters was laid on the table by the majority, and that, had the full correspondence been laid before the legislature, it would have demonstrated that he had not sought the payment of his private bills, but remuneration for public property which he had paid for out of his private funds. To the charge of his nepotism, and appointing non-residents of the territory to office, they opposed a flat denial. To the accusation that he had manifested such a want of ability to govern in peace and command in war as to fill the memorialists with dread and alarm, the protesters said, sarcastically, they did not think the governor should be held responsible for the alarm of those who were easily frightened, but would oppose the governor's whole life, together with his service, both in peace and war, against this preposterous charge. They further showed that the pretence that he had usurped the judicial authority, was really based on an honest effort of the governor at compromise with the legislature, by the appendage of notes explanatory of his opinions on the measures to which he gave the sanction of his approval, when they were not so entirely objectionable as to demand his veto, yet, nevertheless, subject to exception, and that it was an executive prerogative, for which there was abundant precedent in the usage of the governors of many of the states, though carrying no actual legality with it. One of the concluding paragraphs of the protest to the memorial containing this remarkable catalogue of charges, is in these commendatory words:—

“Believing that, as executive, Gov. Lucas is acceptable to the large majority of the people of this territory; and believing him to be an honest and pure man, and in all respects perfectly well qualified for the high station he now holds, we desire his continuance in office.”

These proceedings seem to have been founded, in a great degree, on the communication, referred to above, from Secretary Conway to the legislature. A clause in the act of congress organizing the territory of Iowa, provided that the legislative dower of the territory should “be vested in the governor and

legislative assembly." The legislature contended that this provision did not extend to the organization of either house; that the right to elect the usual clerks, door-keepers, messengers, &c., was a right inherent in either body, and that the election of such did not require the executive sanction to make it regular, any more than would the adoption of rules or the decision of questions of order, and on this proceeded to elect sergeants-at-arms and other like officers, without the previous passage of an act defining the number, fixing the names, and determining the compensation of these officers, as the governor considered was necessary. A joint resolution was passed by the legislature on the 5th of December, 1838, specifying the per diem which the chief clerk and the officers of each house should receive, and directing the secretary of the territory to pay the same. The secretary, knowing he would be held to a strict accountability by the secretary of the treasury for all disbursements, and wishing to fortify himself with all the authority possible in so doubtful a case, or, in default of this, to widen the breach between the executive and the legislature as much as possible, wrote an official letter dated the 6th of December, 1838, asking the opinion of the governor on the subject. Gov. Lucas, promptly, on the same day responded, as above indicated, giving it as his opinion that the secretary was unauthorized, and would be liable for any money he might pay on a mere joint resolution of the legislature, without the executive approval.

This letter of the governor, with a long legal opinion from his own "department" (as he styled the secretary's office), at the conclusion of which he announced his intention to pay as directed by the legislature, without executive sanction, was transmitted by the secretary to the legislature, and served afterwards as the basis of select committees, majority and minority reports, harangues, speeches and declamations, and all the forms of frothy effervescence to which our law-making bodies, from the first legislature to the thirteenth general assembly of Iowa, in their exalted dignity, have been subject to, and was used, finally, as one of the chief excuses, on

the part of the malcontents, for petitioning the president to remove the governor.

As for the memorial, we have no data on which to make a historical statement as to its reception in the executive office of the White House by the "Little Magician," otherwise known as the "Fox of Kinderhook," but may suppose that he winked and leered to himself at the verdant simplicity of his trans-Mississippi petitioners. We have authority, however, for saying that he directed his secretary of state, the Hon. John Forsyth, to inclose it to Gov. Lucas, and request an explanation, which the governor made with candor and manliness, and transmitted to the president, together with the protest we have already quoted from, and a petition from the people of the territory asking his retention in the office he then held, all of which, undoubtedly, proved satisfactory to the authorities at Washington, for Gov. Lucas continued to discharge the functions of executive of Iowa till after a change of administration in the general government took place, in 1841.

The perplexities and difficulties that Gov. Lucas encountered from the outset in the administration of his office, would have unnerved and overwhelmed a man not gifted by nature with iron resolution and sturdy independence. Unpleasant relations with his secretary, and bitter controversies with the legislature, were not the only thorns in his official path.

The spirit of slavery, grown more arrogant from the generous concessions made to it by the terms of the compromise of 1820, and thirsting, like the alcoholic appetite, for more material with which to consume itself, discovered a maternal longing for part of the southern confines of Iowa. On the 18th of June, 1838, congress had passed "An Act to authorize the president of the United States to cause the southern boundary line of the territory of Iowa to be ascertained, and marked." Under the provisions of this law, A. M. Lee had been appointed boundary commissioner, on the part of the United States, and Gov. Lucas had appointed Dr. James Davis, on the part of Iowa, but the state of Missouri, first through her executive, and then through her legislature, declined to

be represented on the commission, as congress had invited her; but pending the survey, under an act of her legislature passed in 1837, attempted to exercise jurisdiction north of what was known as Sullivan's, or the Indian boundary line (surveyed and marked in 1816, by Col. John C. Sullivan, by direction of the United States surveyor general, William Rector, and which had, till then, been recognized by all as the dividing line between Missouri and Iowa), by collecting taxes in Van Buren county, Iowa, through the sheriff of Clark county, Missouri.*

The acuteness of Gov. Lucas's mind, and the clearness of his judgment were well shown in this controversy. He promptly called the attention of the secretary of state to the subject, and approached Gov. Boggs, of Missouri, with conciliatory words, desiring to adjourn the question to congress for their settlement. But the statesmen in the interest of slavery, being impatient and short-sighted then, as we have seen them since, and Missouri menacing the peace of the territory with an armed force, Gov. Lucas firmly planted himself on the impregnable position, that the difference was not one between Missouri and Iowa, as the former would have it, and as even the Iowa legislature was willing to accept it, but between Missouri and the United States; and that he, as the agent and representative of the general government, must hold possession, at all hazards and at any cost, of the territory of Iowa, as committed to his care, in all its integrity and completeness, and see that the people therein, citizens of the United States, were protected in their rights, and the laws of the territory, under those of congress, faithfully executed. To this end, he, without hesitation, called out the militia of the territory to act as a *posse comitatus* to aid the civil authorities in the enforcement of order and the laws.

An "Act to organize, discipline, and govern, the militia" having been passed by the legislature, in accordance with the

*For a detailed and interesting account of this controversy, the reader is referred to the Annals of Iowa, October, 1866, page 743, and January, 1867, page 786,—*The Southern Boundary of Iowa*, by Charles Negus.

governor's recommendation, it was approved on January 4, 1839. This law divided the militia into three divisions, with a major general at the head of each. Jesse B. Brown, of Lee, Jonathan E. Fletcher, of Muscatine, and Warner Lewis, of Dubuque counties, were appointed by the governor major generals respectively of the first, second, and third divisions.* Each division was composed of two brigades, and each brigade of four regiments, with the customary officers. They were, however, destitute of arms, except such rifles and shot guns as were the private property of individuals. Gov. Lucas had asked the Hon. J. R. Poinsett, then secretary of war, to provide books of military instruction for the officers, and to deposit arms and munitions of war at some depot within reach, for the rank and file, in case of Indian troubles, for the red tape of that day forbade the distribution of arms to the militia until they were enumerated and returned to Washington, which the Iowa militia had not yet been. Secretary Poinsett had promised to accede to the governor's request, and fifty copies of "Cooper's Tactics" were eventually furnished for the military education of the officers, and Fort Armstrong, on Rock Island, being the most accessible to the territory of the military posts in the vicinity, was designated as a depot for military supplies. But at the breaking out of the troubles with Missouri, the books had not yet reached Iowa, nor the arms Rock Island.

By the 29th of July, 1839, matters had come to such a pass as to call for a proclamation from the governor, warning those who infringed upon the laws of the United States, of the penalties to be incurred, and citing peace officers of Iowa to their duties and privileges if overborne by force, but charging all that to the civil authorities (which he maintained to be all-sufficient for the eventual settlement of all internal misunderstandings, whether between individuals or communities), they must look for a solution of the difficulty.

Soon after this, the newspapers gave publicity to a proclama-

*The Hon. Charles Mason was first offered the appointment of major general of the first division, but declined it.

tion from the governor of Missouri, dated the 23d of August, 1839, ostensibly a reply to that of Lucas, but evidently intended to inflame and mislead the public mind, in reference to the question at issue.

This called forth, as a rejoinder, another proclamation on the subject from Gov. Lucas, which was dated the 25th of September, 1839, in which he showed that it was Missouri, and not Iowa, that endeavored to enlarge her boundaries at the expense of a sister commonwealth, by proving that Iowa was exercising jurisdiction only to the line that had, from the organization of the state of Missouri till then, been acknowledged by that state as her northern boundary line, and which had been regarded by sundry acts of congress and Indian treaties as such, and to which line the territory of Wisconsin, previous to her division, and subsequently the territory of Iowa, under the authority of the United States, exercised unquestioned jurisdiction. He recited the passage by congress of an act authorizing the president to have the boundary between Missouri and Iowa definitely determined; that Missouri had declined to avail herself of her privilege to be represented in the commission appointed for this purpose; and that the result of that survey then awaited the action of congress, with which Iowa would be entirely satisfied; but affirmed that until that decision should be made by congress, the territory of Iowa, acting under the authority of the United States, would acknowledge no other boundary line than the one to which the jurisdiction of the United States, through their territorial officers, had ever been exercised from the time the country west of the Mississippi river and north of the state of Missouri, was, by an act of congress, attached to the territory of Michigan for judicial purposes. He contended that Missouri never set up any claim to territory north of "Sullivan's line" till 1837, and never attempted jurisdiction in the disputed tract till Sheriff Henry Heffleman, of Clark county, Missouri, attempted to collect taxes in Van Buren county, Iowa, under an assessment required by an act of the Missouri legislature, passed the 16th of February, 1839. "The line that has uni-

versally been known as Sullivan's, or the Indian boundary line," said the governor of Iowa, firmly, "and which has been recognized by all the authorities as above cited, is the line to which the territory of Iowa, acting under the authority of the United States, has heretofore exercised uninterrupted jurisdiction, and it is the line to which he intends to exercise jurisdiction, until congress declares some other line to be the boundary of the territory."

In this proclamation he called the attention of the district attorney and the marshal of the United States to the subject, as the ministerial officers of the laws of the United States within the territory, and directed them to arrest and bring to trial all offenders under the federal laws, and also directed the district prosecutor of the first judicial district, and the sheriff of Van Buren county, as the proper ministerial officers of the territory, to arrest all offenders under the territorial laws, authorizing them, at the same time, in case the civil authorities were insufficient, to call to their assistance a sufficient number of the militia as a *posse comitatus*.

Finally, he exhorted the citizens at the scene of conflict to be calm and discreet, reminding them that they occupied the exalted station of free and independent citizens of the United States, and that the civil authority, to which they must look in the first instance, was abundantly able to protect them, but at the same time assuring them that should the president authorize him to repel force by force, in the event of an invading force entering the territory, as threatened by the governor of Missouri, it would be promptly done, regardless of the boasted prowess and superior numbers of the Missouri militia.

(To be continued.)

GENERAL JAMES A. WILLIAMSON.

JAMES ALEXANDER WILLIAMSON, a brigadier general of volunteers from Iowa in the war of the Union against the slaveholders' rebellion, is a native of the state of Kentucky. He was born at Columbia, in that commonwealth, February 8, 1829, so that in this month of April, 1870, he is a little over forty-one years of age. There were no incidents of special moment connected with his early life. He grew up as most boys of "poor but respectable parents" grow up, having considerable work to do, and getting such rudiments of education as the schools of the times afforded. These advantages were nothing like they have grown to be now-a-days. The school houses, made of logs in many instances, of the time of James A. Williamson's boyhood were rude indeed and comfortless in comparison of the modern structures, built without regard to expense or, sometimes, art, or anything else but bigness. The curriculum of the schools of the olden time, too, was of the same cramped nature as the buildings in comparison of the prodigious amount of learning which any boy can now have without money and without price.

It may not be improper to add, in respect to the early life of General Williamson, that he went through some "experiences" not usual even with boys of the "far West." When he was but ten years of age, his father removed to Marion county, Indiana, near the capital of that state. The father died the same year, leaving a wife and two children, the subject of this sketch and a sister, with but a small share of the world's goods. When the family moved to Iowa, the boy was only about fifteen years old. He made a "claim" on the public lands, and opened a small farm, doing all the work himself. Not owning a team, nor being able to do so, he worked by the day for neighboring farmers, taking his pay in work done on the little farm by them with their teams. In other words he "swapped work," in the phrase of the times, exchanging his own personal labor for the labor of others and that of

their horses or oxen as the case might be. Thus he raised his crops and supported the family, by exertions which, in this day of farm machinery and implements, seem almost incredible. And so he worked for two years, when he became clerk in a country store,—a business in which he did not long engage. At length he sold his farm, and with the proceeds making his share, gave himself a course of classical and mathematical study at Knox College. Whilst on these details of General Williamson's early life, I may also say that, having completed his collegiate studies, he returned to Lancaster and studied law. His instructors were M. M. Crocker, since the distinguished Major General, whose death has been so earnestly deplored by the people of Iowa, and Judge Casey, who has been a prominent member of the Lee county bar for several years. Mr. Williamson was admitted to practice in Lancaster, but removed to the present capital before his briefs had got to be numerous or profitable. At his new home he was immediately successful.

It was about ten years after settling in Iowa, that is in the year 1855, Mr. Williamson removed to Des Moines, then agitating for the capital and soon afterwards getting it by constitutional provision. With the question of removing the capital from Iowa City to Des Moines, Mr. Williamson had much to do. He was one of those interested in building the structure, now called the capitol, which was part of the consideration, so to speak, for the removal. The state afterwards took this building off the hands of its owners, upon whom the financial crisis of 1857 had borne with great hardship. In the "lobby" at work for this measure during the regular session of the famous General Assembly of 1860, was Dr. Brooks, of Des Moines, who was, I believe, pecuniarily interested in the success of the bill for the purpose and worked for it with great earnestness. Dr. Brooks, though not much known to the general public of Iowa, was well acquainted with nearly all the prominent men in the state, and was in reality one of the most potential lobbyists who ever engaged in helping measures through the legislature.

He died something over two years ago, during a session of the General Assembly, and that body did itself honor in adjourning over in respect to his memory, the members of both houses attending the funeral, almost without exception. But few men have such genial, whole-souled qualities as had the lamented Dr. Brooks, by whose death Iowa lost one of her most public spirited and valuable private citizens. He died in the very house in which Mr. Williamson lived at the time the State House—so called by the most chivalrous courtesy—was taken possession of by the state, as owner of the property.

Mr. Williamson practiced law with success at Des Moines, taking less part, perhaps, in politics, than is customary with a majority of the members of that profession. He belonged to the democratic party, and was a consistent, though not an illiberal, supporter of its doctrines and candidates. He continued in good fellowship with the party till the breaking out of the war of the rebellion, when, entering the army, he eschewed for the time being the subject of politics, but in the course of a year or two, or it may have been more, became, as General M. M. Crocker also did, what is now called a radical republican. It is not within the province of this sketch to commend or condemn either the past or present political doctrines of its subject. It is sufficient to say here that Williamson was a prominent and influential democrat, and that his experience in the army made him a republican, of which party he is now a prominent and influential member. It is neither doubted that he was a conscientious democrat, nor that he is a conscientious republican, nor yet that, in being at one time the one and at a subsequent period the other, he is chargeable with any the least inconsistency as an earnest friend of our great republic. Whether democrat or republican, he who passed through the fearful struggle of the late war,—a most remarkable conflict, both of ideas and of arms,—without notable change of opinion, may be very good timber considered as a saw-log, but not so, when considered as an intellectual and moral being.

Not long after the wickedness of disunion and secession had

broken out in the overt treasonable act of firing on Fort Sumter, Mr. Williamson volunteered as a soldier of the Union. The Fourth Iowa volunteer infantry, Colonel G. M. Dodge, afterwards the distinguished major-general, was at this time being recruited, and Mr. Williamson became the adjutant of the regiment. The rendezvous was at Council Bluffs, where the regiment was drilled during part of the summer of 1861, and whence it moved to Jefferson Barracks, near St. Louis, Missouri, for further drill, arms, and equipments in the month of August. Having stopped here a short time, the regiment proceeded by rail to Rolla, where it remained for a considerable period, first in camp and then in winter quarters, the barracks, such as they were, being built by the men themselves.

That history of a conflict of arms which deals but in marches and countermarches, advances, retreats, skirmishes, and battles, may satisfy those who think only of the pride, and pomp, and circumstance of glorious war, but it leaves much of value and of deep and painful interest untold. "The army went into winter quarters" means a great deal to those who know what an army is. There are weeks, there may be months, of

"Mingled shades of joy and woe,
Hope, and fear, and peace, and strife,
In the thread of every life."

If sickness visits the troops, as it is so apt to do in quarters, it is almost impossible to dispel the gloom which settles upon the men. The virtues of patience and fortitude here have their triumphs, and they are no less worthy of admiration, though they receive much less, than the qualities which earn fame and glory on the battlefield. Of the checkered scenes of army life in quarters, Adjutant Williamson saw as much as men may often see while the regiment remained at Rolla. He studied his new duties with great assiduity, and became a substantially good officer, but without acquiring that technical proficiency in the words of command and the details of the profession which mere martinets so much admire, sometimes herein making a mistake like that of insisting upon Horace

Greeley being a bad writer solely because he cannot write a legible hand. It is not meant that Adjutant Williamson was deficient in a substantial knowledge of the details of his new profession, but only that he cared not to spend too much time on those matters which did not go to "the merits," as a lawyer would say. He got the essentials of his temporary profession better by paying more attention to them than to the non-essentials. It thus happened that though he was a good adjutant, he was, in some particulars, an awkward officer for several months after he entered the service.

It was not long till he had excellent opportunity to put all his soldierly qualities to the test. For early in the year 1862, General Samuel R. Curtis, commanding the Army of the Southwest, began that march which ended on the mountains of northwestern Arkansas in the pitched battle of Pea Ridge, one of the longest and most desperately contested engagements of the war, and directed in the most skilful manner by General Curtis. Colonel Dodge commanded a brigade during this campaign, and was conspicuous for bravery and efficiency at the battle. Adjutant Williamson was the acting adjutant general of the brigade, and received the warmest commendations of his commanding officer.

Not long after the battle Colonel Dodge was promoted to the rank of brigadier-general, and the lieutenant-colonel of the regiment resigning about the same time, Adjutant Williamson was promoted to that rank. He was still further promoted, however, in a very few weeks, receiving the commission of colonel. From this time forth until near the close of the war, he served with his regiment, commanding first it, then a brigade, and then a division, of which the Fourth Iowa volunteers formed a part. It was one of the most distinguished of the distinguished regiments which the state of Iowa sent to the field, and if he who was its commanding officer in its most trying and most glorious hours, and who so long retained no other rank than that of its colonel, was unjustly deprived of well-earned promotion, it is agreeable to reflect that to have been the efficient commander of the Fourth Iowa infantry was far better

than to have been many brigadier-generals, or major-generals for that matter, which every one can call to mind without consulting the "Rebellion Record." The life of General Williamson is interwoven with the record of his famous regiment. Its history makes an important part of his life; his talents and services largely contributed to the efficiency and the renown of the command, and none the less, one may safely conclude, because he was nothing at all of a demagogue soldier.

After the battle of Pea Ridge, Colonel Williamson did not for some months participate in any engagement, but his duties were constant and onerous. His command continued to form a part of the little army under General Curtis, which, it will be recollected, marched a good deal through the gloomy wilderness and swamps of Arkansas, suffering many hardships, and at last made the famous march to Helena, overcoming difficulties well-nigh insurmountable, and enduring privations in comparison of which those of which romance tells, even in the gloomiest pages of imaginative human destitution, are like royal magnificence to the rags of paupers. The fact is well known that he who was then commanding the armies of the United States,—General Halleck,—supposed that General Curtis and his army were lost, and that no one was more surprised than he upon intelligence of the arrival of the command at Helena. In this expedition through an exceedingly gloomy country the Fourth Iowa had borne its part of the hard work, and marched on short rations with a fortitude and even cheerfulness that spoke well for its discipline.

In the unsuccessful attack upon Vicksburgh by Chickasaw Bayou,—known as the battle of Chickasaw Bayou,—Colonel Williamson and his command bore the most conspicuous part. It will be proper, therefore, to speak of this engagement with some detail.

On the 20th of December, 1862, Major General Sherman embarked at Memphis with a considerable army, to co-operate with General Grant, marching by land, in an attack upon Vicksburgh. At Helena he was reinforced by General Steele, to whose command Colonel Williamson's regiment was now

attached. The whole army then continued the voyage on as many as an hundred transports to Milliken's Bend, something more than twenty miles above Vicksburgh. Entirely ignorant of the events which had compelled the retreat of Grant before he had come near Vicksburgh, General Sherman proceeded with his part of the plan of attack, the whole army being confident of success. About noon on the 26th the fleet reached its destination, and the troops debarked. The locality was extremely uninviting. Vicksburgh is on the bank of the Mississippi, some two miles below a sharp bend. Immediately opposite, is a peninsula, formed by the sharp bend of the river, and it is opposite the point of this peninsula that the waters of Chickasaw Bayou empty into the river. The bayou is only about seven miles in length. It flows from the Yazoo, first in a southerly direction, and then more toward the west, following the course of a range of bluffs north of the city. Between the bayou and the Yazoo, it is little better than a swamp, intersected by turgid streams and corduroy roads.

In this dreary locality the army bivouacked the night after debarkation. In front, was a stronghold, well defended by the best troops of the rebellion. Without here stopping to speak of the operations of the following days in which the army moved into position for attack, marching and fighting not a little, it may be said that on the morning of the unsuccessful assault General Morgan, with a division, occupied the central position, General M. L. Smith's division the right centre, while General A. J. Smith was moving up on the right, and General Steele on the left. During the night before, our troops had heard trains of cars moving into Vicksburgh. They were bringing reinforcements to the rebels. Their position, almost impregnable by nature, was further fortified by art. On the plateau between the bayou and the bluffs there were lines of rifle-pits, protected by abatis, whilst the hills were crowded with batteries of light guns and heavy artillery, whose fire could sweep every part of the plateau. Early in the morning the rebels opened fire, chiefly directed against the Union centre, held by Morgan. It was kept up during all

the forenoon, during which time the infantry on different parts of the lines was from time to time engaged. General Sherman had issued no order announcing an hour for the assault, but about noon General Frank P. Blair threw his brigade across the bayou above where it bends to the right, and moved, overcoming many obstacles, against the first line of rifle-pits. Colonel DeCourey, commanding a brigade, also moved at the same time, and both commands, passing through a murderous fire, carried the first line of defences with a dash, and in a short time the second also. But these gallant troops were still under the fire of the artillery on the bluffs. The brigade of General Thayer,—in which was the Fourth Iowa,—of Steele's division, had been ordered to support Blair. Thayer crossed the bayou lower down than Blair had done, marching by the flank, but with only one regiment,—Colonel Williamson's. The next regiment in line was directed to take a different direction by General Steele, and those coming after followed this. Thayer sent for support, but without waiting for it to come up, moved against the works in his front with the Fourth Iowa alone. This gallant regiment carried the first line of works, and, marching on, drove the enemy from his second line. Unable to press on up the bluffs against the terrible fire of many batteries concentrated on this part of the lines, those brave men remained for a considerable time, waiting for support, scores of them falling almost every moment in wounds or death, and then, obeying the command to retire, retreated steadily under the same fire by which their ranks had been decimated during the assault. Troops along the rest of the lines only crossed the bayou in small detachments, or not at all. So the assault by Blair, DeCourey, and Thayer, the last with a single regiment, the whole force numbering only about three thousand men, was all that was made. Of these three thousand, about eight hundred were killed and wounded.

As for Colonel Williamson's regiment, it behaved with surpassing heroism. The regiment went into the fight with four hundred eighty men and officers, of whom one hundred twelve were killed and wounded, among the latter being Colonel

Williamson himself, who was hit several times during the battle, and had his uniform well perforated with balls, but continued in command throughout. General Grant, nearly a year after the battle, when he had fully reflected upon all the facts connected therewith, commanded by general order that the Fourth Iowa infantry place "First at Chickasaw Bayou" on its colors,—a distinguished honor, given, it is believed, but to a single other regiment (the Thirteenth Regulars) during the whole war of the rebellion.

Immediately after this unsuccessful attack on Vicksburgh, Colonel Williamson's regiment proceeded on the expedition against Arkansas Post, in which it took honorable part under the command of Lieutenant-Colonel Burton, Colonel Williamson being wounded, and ill. After the success which attended General McClernand's movement against the enemy in Arkansas,—a movement which, it is believed, was the conception of General Sherman,—the Fourth Iowa returned to that vast encampment opposite Vicksburgh, where, under the dark shade of the cypress and the threatening frowns of the batteries of the stronghold, officers and men spent the darkest days of their service. It is probable that Colonel Williamson was not more severely tried in the hottest of the storm of Chickasaw Bayou than he was every day, almost every hour, during the two months which the regiment remained in this encampment. There was a great deal of sickness and suffering. The locality was utterly uninviting. Everything conspired to give the army "the horrors." In comparison of this, battle, where there is the "fine frenzy" of fight, is a pleasure.

Colonel Williamson's part in the great campaign of Vicksburgh under General Grant, and which attained glorious success on the anniversary of our national independence, was quite conspicuous throughout. General Steele, for the purpose of deceiving the enemy, was sent into Mississippi, some hundred miles, by the river, above Vicksburg, about the 1st of April. In this column was Colonel Williamson, with his regiment. Having done what was required of him, Steele rejoined the army after the engagements of Port Gibson and

Raymond, but in time to take part in the capture of Jackson, entering that city from the south about the time the rebels evacuated, having been handsomely whipped, chiefly by troops under the command of General Crocker. After the work of destruction at Jackson, Colonel Williamson marched with his command to Haines's Bluff, above Vicksburg, where some sharp fighting took place. From this time till the capitulation, including the memorable assault of May 22d and the long siege, the regiment was near the extreme right of the investing army. During the whole of the siege,—forty-seven weary, wearing days under the hot sun and hotter fire from the enemy,—Colonel Williamson and his regiment were engaged in the hard duties of the investment. From the time he took position in the investing lines till the surrender of the stronghold, he lost about eighty of his officers and men in killed and wounded.

After the victory, Colonel Williamson shared in the second campaign of Jackson, and in the pursuit of Johnson went as far as Brandon, something more than a day's march west of the capital. From this time until after the close of summer, there was rest. The command of Colonel Williamson was now a brigade, which rested from the hard marches, battles, and sieges of the spring and summer, in an encampment not far from the railroad bridge over the Big Black river, a few miles in rear of Vicksburgh. These few weeks of comparative ease and pleasure were followed by a long march and active operations, continuing, with but short intervals of repose, until the end of the war.

Near the middle of September, Colonel Williamson was ordered with his brigade to Memphis. Thence he moved by rail to Corinth, Mississippi, arriving there about the first of October, when General Sherman was preparing to march to the relief of Chattanooga. The division to which Colonel Williamson's brigade was attached was one commanded by General Osterhaus, an officer of approved courage and skill, to whom General Sherman assigned the duty of observing the enemy, and occupying his attention whilst he should proceed

with the movement to Chattanooga. General Osterhaus performed this duty in the neighborhood of Cherokee, in north-western Alabama, where he engaged the enemy in skirmish, affair, and battle for a number of days. On the 21st of October occurred the affair which has been called the battle of Cherokee. General Osterhaus had purposed moving against the enemy early in the morning, but a dense fog prevented the march for several hours. When the troops were put in motion the mist was still sufficient to prevent friends distinguishing each other at a few yards distance. General Osterhaus had not proceeded far, when the advance, which was Colonel Williamson's brigade, consisting of the Fourth, Ninth, Twenty-fifth, Twenty-sixth, Thirtieth, and Thirty-first Iowa regiments (and known as "the Iowa Brigade of the Fifteenth Corps"), suddenly came upon the enemy, and a sharp combat ensued. There was a lively battle of musketry for about an hour, when the rebels retired, having suffered severe losses. The Unionists lost less than one hundred. Among them, however, was Colonel Torrence, Thirtieth Iowa, a brave and capable officer, who fell dead, pierced by many bullets,—the second colonel of that regiment slain by the enemy, Abbott having fallen in the memorable assault of Vicksburgh, at the head of his command. Having driven the enemy to Tusculumbia, Osterhaus countermarched to Eastport, where he crossed the Tennessee and marched thence to Chattanooga. In all these operations Colonel Williamson's command took active, honorable, part,—the most conspicuous part, indeed, of any brigade in the division.

After the long and laborious march through Tennessee, the division of Osterhaus was ordered to report to General Hooker. The manœuvres which resulted in the remarkable series of combats and conflicts on Lookout Mountain and Missionary Ridge, and which together made up what history calls the battle of Chattanooga, had already commenced. Colonel Williamson had made a long march to battle, but he went into the conflict with his gallant brigade far better, doubtless, than if he had come fresh from the bloodless review, with every

man well brushed up and every paper collar clean. In the battle of Lookout Mountain, November 24th, and that of Missionary Ridge, the next day, Colonel Williamson's brigade was engaged, but its losses on either day, or perhaps both, were not so great as at the battle of Ringgold, on the 27th, where this command brought victory to the Union forces engaged, at a critical time, when a panic had seized upon many of the troops and thrown them into disordered flight. The steadiness and gallantry of Williamson's Iowa brigade saved the day.

During the following winter, the Fourth Iowa re-enlisted, and had a furlough of four weeks at home. The command was received at the state capital, the General Assembly being then in session, with great heartiness and hospitality. By the 1st of May, it had rejoined the army for the campaign of Atlanta. Colonel Williamson's brigade now consisted of the Fourth, Ninth, Twenty-fifth, Thirtieth, and Thirty-first regiments of Iowa infantry, and it bore honorable part in all that remarkable campaign which resulted in the fall of Atlanta. It was brilliantly conspicuous at the battle of Dallas, May 28th, and at the great engagement of Atlanta, July 22d. At the battle of Dallas, General McPherson closing up to the left in execution of one of General Sherman's orders, was suddenly assailed with the greatest impetuosity by the enemy. The Unionists met the attack with the greatest coolness, having thrown up slight works for their protection, and the ground in front of our lines was strewn with the rebel dead and wounded. But there was a "gap" in the Union lines which the rebels discovered. They poured in in a stream, threatening destruction. It was at this crisis of the battle that Williamson's Iowa brigade rushed to the rescue, and, by a dashing charge, drove the rebels pell-mell from the field, with terrible slaughter. The services of Colonel Williamson's brigade at the great battle of Atlanta were similar. It was about noon of the day of this battle, which had been raging fiercely for several hours, when Stewart's rebel corps, massed in heavy bodies, sallied from Atlanta, and dashing assailed the Union Fifteenth corps.

The attack was at first successful. The rebels broke through the Union lines, and just at this time heavy firing being heard in their rear, the Unionists were thrown into a momentary panic. The firing in rear was explained as an attack upon our trains at Decatur, bravely repulsed by a part of General Dodge's Sixteenth corps; and General Logan, now in command of the Army of the Tennessee, in place of McPherson, slain, rode amongst his troops, shouting "McPherson and revenge!" and stayed the panic. Wood's division, in which was Colonel Williamson's Iowa brigade, was ordered to restore the line and re-take the lost position. This was done in fine style by Colonel Williamson's command, which, by a heroic charge, drove the enemy from the field, re-taking De-Grass's famous battery of twenty-pounder Parrotts, and regaining the ground that had been lost. It was one of the most brilliant achievements in this day of many brilliant achievements. In the remainder of the campaign, in the pursuit of Hood after the fall of Atlanta into the Union hands, in the famous march to the sea, Colonel Williamson and his command continued to perform their duty in camp, march, or battle. At Savannah, Colonel Williamson had command of the division. Here he received a leave of absence, and proceeded by ocean steamer from Hilton Head to New York, and thence home, where, all too late, he received the commission of a brigadier-general of volunteers.

General Williamson had now been in service nearly four years; all the time in active service; always doing what was given him to do, with ability and skill, and, on several particular occasions, so conducting himself and his command as to make both justly illustrious in American history. By whatsoever accident or oversight it happened, it is a plain truth that the long delay in General Williamson's promotion was shameful to the military authorities of the United States. If hereby the colonel of that regiment which, in the words of the major-general commanding the army, had "won immortal honors" at Pea Ridge, and before the close of 1862 had won "First" for its escutcheon by unparalleled heroism in one of

the fiercest battles of the war, and had afterwards been scarcely less conspicuous on occasions of imminent danger and of vital moment,—if hereby General Williamson had been made splenetic and complaining, the fault would not have been his. If his amiability became somewhat ruffled, it is to his credit that his dispositions were not permanently soured.

The last military performance of General Williamson to which reference is necessary to be made in this sketch, was an address to his old regiment, when it was about to be mustered out of service,—a document in which he referred with modesty to himself, and with gratified pride to the record of his old command. This was written from Headquarters, District of St. Louis, and bore date July 6, 1865.

The Republican State Convention of Iowa which convened at Des Moines, February 22, 1864, for the purpose of choosing delegates to the national convention of that political organization, had elected General Williamson chairman of the delegation. At the time of the sitting of the convention, however, he was engaged in the campaign of Atlanta, and, though offered leave of absence, declined to part with his command. At the next convention of his party in the State for a similar purpose, he was again selected for the position, and actually was chairman of the Iowa delegation at the Chicago Convention, which put in nomination General Grant and Mr. Colfax for the chief offices of the nation. There was animated contest in that body upon the nomination of a candidate for the vice presidency. Iowa had divided its vote for two or three ballots, but, before the vote of the convention on the ballot last taken had been announced, General Williamson arose, and announced that “the State of Iowa cast its sixteen votes for Schuyler Colfax, of Indiana,” thus taking the lead in the movement which gave the nomination to that distinguished gentleman; for other states followed the example of Iowa, and Mr. Colfax was soon nominated in a furore of excitement.

Since his disconnection with the army, General Williamson has been engaged in the real estate business at Des Moines, with the exception of a few months passed in Texas, and a

shorter period on the line of the Union Pacific railroad, for which he selected the sites for certain depots and towns, but at a salary which compelled him to resign the position.

General Williamson, though reserved with strangers, and cold in manners to those with whom he is not well acquainted, is exceedingly genial with his friends. He is whole-souled and generous. He does not always make himself as agreeable as he can, but can be extremely pleasing when he wants to, or feels it to be his duty. He is just and honorable in his professional and business transactions. A radical republican, he is liberal in his estimates of those whose political views are opposed to his own. As a soldier, his record is that of a gallant officer from the beginning to the end of the war. There were many who received more of rank and emolument than he; there were few, if any, who conferred more honor upon the state or the Union cause than General James A. Williamson.

REPORT OF CAMPAIGN AGAINST MAJOR GENERAL STERLING PRICE IN OCTOBER AND NOVEMBER, 1864.

(Continued from page 94.)

"The enemy was repeatedly repulsed, and one very bold and dashing charge made by him down the road upon the battery was very handsomely repulsed by portions of the 16th Kansas cavalry and 2d Colorado cavalry, the centre charge being held in person by Lieut. Col. Walker, commanding the 16th K. V. C., and in which charge he received a severe wound in the foot. Finally in the face of a very heavy fire from the first brigade, the enemy forced a very large column into a small copse to the right of my brigade, and commenced a flank fire upon me. Not having force enough to dislodge the enemy from his new position I fell back towards Brush creek, forming line upon each ridge, until I received orders from the north of the creek, the battery meanwhile having been placed in a commanding position on the hill. After

forming on the bottom, I sent part of the 2d Colorado cavalry on foot as skirmishers through the woods. The 12th K. S. M. were also sent into the woods on foot, doing good service. The footmen kept steadily driving the enemy until the advance of the whole division was ordered, when our old position was regained; and after a short fight the enemy was completely routed and fled precipitately from the field. Every one advanced as speedily as possible, continuing the pursuit until dark. Col. Jennison, with portions of the 15th and 16th Kansas cavalry and 2d Colorado cavalry in the extreme advance."

Col. Jennison reports:—

"On the morning of the 23d the brigade was under arms at daylight, and after having supplied itself with ammunition from the train sent out from Kansas City, retraced its march of the previous evening, coming on the rebel lines about three miles from the town, where it assumed position as the centre of the line, with the brigades of Cols. Ford and Moonlight on the flanks. The brigade was thus deployed on the right of the road in a large field traversed by rail and stone fences, which to some extent impeded active cavalry operations, though affording excellent protection to dismounted troops. Our skirmish lines were immediately formed and had advanced but a few rods, when severe and incessant fire of small arms was commenced upon them, and replied to with utmost spirit, the enemy commencing almost instantly to fall back.

"Our lines were then advanced some distance, a rapid fire being kept up from either side, until the rebels having received a reinforcement, made a desperate stand and succeeded in temporarily pressing us back beyond our original position and to the edge of a small body of timber skirting the wood, upon which the 2d Colorado battery was posted. At this point the fighting again became severe, and a second time we were compelled to retire, a movement participated in by the entire division, the first brigade however forming the right of the new line about two hundred yards in rear of its first position, the second brigade having left the field. At this point a desultory fire was kept up for some time, the rebels making no

positive demonstration, our lines being reinforced by the militia under Col. Blair.

"At length the enemy pressed forward and succeeded in planting one section of a Parrott battery on the line road, rendering our position one of extreme danger, his line being heavily reinforced at the same time.

"Leaving the position, we fell back on the line road almost to the suburbs of Westport, where the army was re-organizing and concentrating for a final effort, and soon the order was received for a general advance along the entire line, which was obeyed with the utmost alacrity.

"The 1st brigade, with a detachment of the 2nd Colorado, and McLain's battery, took position on the right of the road, commencing an impetuous attack upon the rebels, who were rallying for a charge upon the battery, one section of which was posted directly in the road.

"Hardly had we taken position, when the enemy charged in column upon the guns up the road, which were supported by the 2nd Colorado, the 1st brigade being to the right, in front as they advanced. Company "E" 15th K. V. C., forming the left of the brigade line, and deployed as skirmishers.

"Seeing that a desperate effort was required to save the battery, I immediately rallied company "E," and led in person a charge upon the flank of the rebel column, a movement which was entirely successful; though a desperate hand to hand contest ensued. After maintaining which for a short time the enemy withdrew in disorder towards his main line, southward. * * * The enemy having fallen back upon the road, our lines reformed and again advanced through the field, on the right of the road, driving the rebels at all points.

"Directly in the road, at the summit of a slight slope, a body of the enemy seemed determined to make a stand, when I was ordered, by Gen. Blunt, to charge the hill with his body guard, and one squadron of the 2d Colorado, all the troops available at that instant.

"Drawing sabres and forming column of four, the squadrons

dashed with reckless courage upon the hill into the very midst of the rebels, who, not waiting to ascertain our strength, and hardly making a show of fighting, broke and fled, some into the timber, on the left, but a majority down the road. A detachment was then dismounted and deployed along a stone fence skirting the woods, and a spirited fire opened on the rebels in the woods, to the left, but these soon made their way out and joined the main rebel body, about a mile distant, where the enemy's lines were yet unbroken; and upon which, at this period, a section of McLain's battery, under Lieut. Ayres, was brought to bear with telling effect.

"Generals Curtis and Blunt, having reached the scene in person I was directed to charge the rebel's lines with the 1st brigade, on the right and left of the road, under cover of a heavy fire from the Colorado battery, which was worked with rapidity and the utmost precision, by Captain McLain and his Lieutenants.

"Lieut. Col. Hoyt, with six squadrons of the 15th Kansas volunteer cavalry, was directed to advance on the left, while with one company of the 15th, the 3d Wisconsin detachment, two companies 2d Colorado, and General Blunt's body guard, I took the right.

"The brigade thus formed advanced, charging the rebel lines with an impetuosity that overcame opposition.

"The enemy, then confused and demoralized, broke and fled, scattering arms and equipments along the road, and covering the ground with the *debris* of a routed army.

"For more than a mile the brigade pursued, never drawing rein, while the rebels, too demoralized to attempt a halt, seemed each determined to save himself, as best he might.

* * * * *

"The 1st Brigade in advance of the pursuing column maintained its position during the remainder of the day, coming up with the enemy below Little Sante Fe, and skirmishing with his rear until dark."

Col. Jennison, honorably mentions most of his officers, especially Lieut. Col. Hoyt, Maj. T. J. McKenny, of my staff,

who joined him in the advance, Captain Johnson, and many others who deserve commendation.

The whole brigade deserves the gratitude of their country. Col. Moonlight's report says:—

“Early in the morning of the 23d, I received orders to supply my command with ammunition and rations and take the right of the line of battle, about to be formed a little south of Westport.

“This was promptly done, and in front of the 2d brigade the enemy were driven back for over a mile, after a stubborn resistance. The command on the left had fallen back, so I was not supported in that direction, allowing the enemy to come upon my flank and deliver a raking fire.

“To meet this fire and preserve order, it was necessary to wheel two squadrons to the left, which was done in fine style by companies “A” and “F,” 11th (Lieut. Drew commanding company “F” after the battle of Little Blue).

“My command fell back in good order, handsomely protected on the right flank by Lieut. Col. Woodworth, 12th Kansas, S. M., who reported to me that morning with a part of the regiment.

“Col. Woodworth is deserving much praise for dashing on the enemy's flank of skirmishers in the manner he did.

“After falling back to Westport, I received orders from Gen. Blunt, to pass around the right flank of the enemy, and keep in between him and Kansas, which order was faithfully carried out, and while our forces from Westport were putting Price to rout, the 2d brigade whipped in on the right flank in hot pursuit of that portion of the enemy invading Kansas.”

Col. Moonlight's brigade, deserves commendation.

Brig. Gen. W. H. M. Fishback, K. S. M., participated in this battle, commanding militia on the right, under Major Gen. Deitzler, and reports as follows:—

“The 23d instant the enemy appeared in line of battle a little south of Brush Creek, near Westport.

“Generals Curtis and Blunt occupied a position in front, and directed our movements in person.

"About 8 o'clock, A. M., our entire force moved out to meet the enemy, and took position on Brush Creek, extending our lines from east to west, Col. Jennison's brigade occupying the left, Col. Moonlight's the right, and my brigade the centre.

"Here the brigade was dismounted and acted as support to the batteries.

"The battle at this point was fierce and stubborn, and with varying success, neither side gaining any great decisive advantage for more than three hours. The rebels hotly contesting every foot until about 11 o'clock, when they began slowly falling back. Our men stood up nobly to their work and maintained their ground like veterans, and, seeing their advantage, were eager to pursue.

"The enemy were now plainly feeling their way out and loosing nerve. Our boys commenced, and soon the whole woods resounded with loud and long-continued cheer after cheer, as we drove them and pushed them from the timber.

"Our batteries are now hurried through the cornfield, followed by the militia, who are supporting them. Here we have punished them severely, their dead are numerous, and lie on the field unburied.

"Our loss, compared with theirs, is trifling. By 12 o'clock we have reached the open prairie, four miles south of Westport, where we see on our left, as far as the eye can reach, a long column advancing towards us. We are inspired with new and intense interest. We look and listen. We are not long in doubt. We hear the artillery of Generals Pleasanton and McNeil. They have at last reached us and given the enemy's right a taste of their power. We now have them. The retreat became a perfect route. We cannot keep pace with them, the battle is over, the victory won, and nobly won."

The militia of Kansas behaved nobly, and saved their state from devastation.

Col. Blair's command, on this occasion, was mainly K. S. M., and he reports his movements, as follows:—

"Pursuant to Gen. Blunt's orders, I formed my brigade on the high ground, south of Westport, overlooking a little creek,

the southern acclivity of which was covered with a dense growth of timber and underbrush. After the line was formed and the artillery in position, I dismounted the militia, leaving every sixth man to hold horses, and pushed them through the timber to the front, where I formed them behind a fence and in front and on the left of the 15th Kansas cavalry, under Lieut. Col. Hoyt.

"Before us was an open field, on the other side of which was the enemy in considerable force, and strongly posted behind a stone fence, which formed an admirable cover.

"We were partially protected by the edge of the timber and a rail fence. Firing was kept up rapidly and heavily for half an hour, the enemy being held firmly in check, but I attempted no advance, as I did not know whether our flanks were clear or not.

"In a short time the 15th retired in obedience to orders, and very soon after I received an order, through Col. L. J. Crawford, of the staff, to fall back to my first position.

"Accordingly, I marched to the rear, through the timber, and formed immediately on the north bank of the creek, without going clear back to my original position. * * *

"A rumor reaching me that the enemy was attempting to flank my position on the right, and fearing to await for orders, lest it might be accomplished, I despatched a messenger to Gen. Blunt, to inform him of what I was doing, and hastily threw my line up into the dense timber on my right, twice its own length, and then pushed it steadily forward.

"At this time, I received orders from Major Gen. Curtis to make the movement which I had already commenced.

"Thus reassured, I moved forward as rapidly as the thick undergrowth and broken ground would permit, until I came to the edge of an open field and formed a junction with Col. Hogan's regiment, which had been sent forward from a different direction.

"A heavy fire was here opened on us from a cornfield, which stretched from our right front, and which seemed filled with skirmishers, and from a large brick house, in an orchard

just beyond, in which a party of sharp-shooters were stationed.

"In a few moments, several of our men had fallen, and the fire was incessant and close. I immediately ordered the right of the brigade forward and drove the enemy from the corn-field and house, while the left of the line kept straight forward through a stubble-field on their flank.

"About half a mile to the front, the cavalry and artillery came out in the road on our left, and we joined the line, relieving Jennison's cavalry from its position in support of McLain's battery.

"We then commenced driving the enemy steadily before us, and from thence until his retreat became a rout, it was as much as my dismounted men could do to keep up with the artillery.

"As soon as the heaviest of the action was over, I sent details back to bring up the horses, and pushed forward with my own dismounted men and artillery."

The Colonel makes honorable mention of many of the militia officers, and very justly commends the conduct of the Kansas militia, for their good conduct during the day, for all which I refer you to his entire report, which, with all from which I make extracts, and many more, are respectfully submitted.

Major S. S. Curtis, 2d Colorado, who, with a small detachment, went in search of Gen. Pleasanton, early in the day, returned at night reporting Gen. McNeil's operations which came to his notice.

About 10 o'clock, A. M., I was ordered to take a squadron of the 2d Colorado, commanded by Captain Kingsberry, and proceed *via* Independence, to Gen. Pleasanton's command and inform him of the position and operations of Gen. Curtis.

I went within one and a half miles of Independence, when finding I was far in the rear of Gen. Pleasanton's command, I turned south, and striking the Independence and Hickman's mill road, I followed it until I came up with Gen. McNeil's brigade, which I found drawn up in line of battle on a ridge, with a number of dismounted men in the valley, in front of them.

On the opposite side of the ridge, to the south, about three-fourths of a mile distant, the enemy were deployed and still deploying. Some artillery fire was progressing when I came up, which continued for several minutes thereafter; but, as the enemy continued to deploy troops, and was endeavoring to flank us on both sides, Gen. McNeil ordered the command to fall back about half a mile. I could hear nothing from Gen. McNeil of Gen. Pleasanton's whereabouts, and concluded he must have passed between me and the Big Blue.

As I had rode hard for some fifteen miles, and the squadron showed some signs of fatigue, I rested them for about two hours, and then struck almost due west, on a by-road which brought me to the Big Blue, at the Westport ford, where there were signs of very severe fighting that day, broken wagons, cannon balls, shells and dead bodies were scattered along the road for two miles.

The dead seemed nearly all of the Kansas militia and the rebels.

I saw but one white man, who appeared to have been a federal soldier, and two negroes.

I came to Gen. Sanborn's camp shortly after dark, and there first learned the particulars of the battle of the day, and also, that Gen. Pleasanton had effected a junction with Gen. Curtis, and that both were probably encamped several miles to the west. I then pushed ahead with my squadron and reached head quarters at Little Santa Fe, at 10 o'clock P. M., having traveled about forty-five miles during the day.

The movements, west by Colonel Moonlight, and east by Major Curtis, show the extent of operations both east and west, by both the troops of Gen. Rosecrans and mine, to have extended east and west from near Hickman's mill to the state line.

And other reports show the contest to have extended from Westport to about five miles below Little Santa Fe, where Col. Jennison left the enemy at dark.

The active part taken by other officers of my staff in this victory, will be found in their several reports.

Those of Major Weed, Major McKenny, Major Hunt, Major Charlot, Captain Meeker and Lieut. Roberts, will be found interesting, as well as those of my volunteer staff, Gen. Lane, Gen. Pomeroy, Col. Roberts, Col. Cloud, and others.

I have only extracted portions to illustrate leading truths of history, omitting what is also of interest, but not essential to the presentation of our general movement. I have been only anxious to give the general outlines of affairs, which extended far beyond the reach of any one observer, inviting examination of the reports of my subordinates, who in various positions saw and participated in the movements and bloody strife of this campaign.

The victory of Westport, was most decisive. We did not stop to count our losses or bury our dead in any of these conflicts. In killed, wounded and missing, it was probably five hundred.

The enemy's loss in killed and prisoners, was not larger, but their men scattered, leaving two broken cannon, many muskets, and much of their equipments on the field.

Their retreat commenced on what is called the line road, which they generally followed southward in their flight, and subsequent pursuit, to the Arkansas river.

CHANGE OF FORCE AND PURSUIT OF PRICE'S ARMY.

The enemy having been fairly defeated at Westport, after over three days of fighting, a vigorous pursuit was necessary to prevent his taking our military posts, which are located near the state line at various points between the Missouri and the Arkansas, a distance of about three hundred miles.

The troops of Gen. Pleasanton, the militia, about ten thousand strong, and my regular volunteers, about four thousand, were now more than sufficient to pursue Price.

Halting at a farm-house near Indian creek, about half past two on the 23d, these matters were discussed. Generals

Pleasanton, Deitzler, Blunt, Sanborn, and most of our staffs, having stopped for dinner and consultation.

General Pleasanton proposed to move his command eastward, toward Harrisonville, suggesting the long march of some of his cavalry, which had come up from Arkansas, and also the importance of the Missouri volunteers being at their homes on the day of election, now near at hand; but Governor Carney and General Deitzler urged the necessity of discharging the Kansas militia, who with indifferent equipments and doubtful pay, had left their homes and served faithful in checking the enemy.

This I considered reasonable, and Gen. Pleasanton concurred.

The militia residing north were released, and martial law rescinded in all the country north of my position by the following order:

HEAD QUARTERS IN THE FIELD, ON INDIAN CREEK, }
3 o'clock P. M., October 23, 1864. }

General Field Order, {
No. }

So much of General Order, No. 54, Head Quarters Department of Kansas, as proclaims martial law north of the Kansas river, is hereby revoked. The enemy are repelled and driven south. Our success is beyond all anticipation. The General delights to relieve the people north of the Kansas from the burden.

By order of Major Gen. Curtis.

C. S. CHARLOT, Major and A. A. G.

OFFICIAL: John Williams, A. A. G.

From the same point I telegraphed Gen. Rosecrans, as follows:—

INDIAN CREEK, October 23, 1864, 2:30, P. M.

MAJOR GEN'L ROSECRANS:—

Your despatch duly received. I have had a hard fight this morning before the rebels gave way, but about an hour ago Gen. Pleasanton's forces crowded the enemy on my left, and his rout was complete.

He now retreats cautiously, but as fast as possible. My horses are in fine condition, and we can continue the pursuit with success, if provisions can be brought forward fast enough.

Very Respectfully,

S. R. CURTIS, Maj. Gen.

To this, in the evening, I received the following reply:—

INDEPENDENCE, Mo., October 23, 1864, 8:45, P. M.

MAJOR GENERAL CURTIS:—

Indian Creek, Missouri:

Your despatch, 2½ P. M., received. Am happy to have such good news. I repeat my belief expressed in yesterday's despatch to you, that our combined forces can bring Price to grief. Infantry can co-operate, reaching Little Santa Fe to-morrow evening, perhaps further. Will use every available means of transportation to supply you, *via* Pleasant Hill. Please use your influence to get the Kansas people to supply Pleasanton's horses, the result will amply pay them.

W. S. ROSECRANS, Major Gen.

Having thus disposed of the militia, Governor Carney and General Deitzler returned to direct their homeward march and muster out, of those living north of us.

General Pleasanton, with his division and my regular volunteers and militia, residing south of Kansas river, now resumed the pursuit, arriving at Little Santa Fe, about dark, when I forwarded to you the following despatch:—

HEAD QUARTERS ARMY OF THE BORDER, }
LITTLE SANTA FE, October 23, 1864, 5½ o'clock. }

MAJOR GENERAL HALLECK:

Washington, D. C.

The enemy is in full retreat and much demoralized. He moves directly south, on and near the line road. Gen. Pleasanton united his forces with mine at 2 o'clock. Our losses are inconsiderable. We lost one gun yesterday, and took one to-day. The pursuit will be renewed at daylight.

After four days obstinate fighting the men and horses are much exhausted and must have a little rest.

S. R. CURTIS, Major General.

On the 24th of October.

At an early hour we resumed the pursuit, Gen. Blunt taking the advance as commander of the Kansas troops, which I now denominated as the first division, and Gen. Pleasanton following with his division, comprising, Missouri, Iowa, Indiana, and other troops which I denominate a second division, according to the rank of the Major Generals.

My telegraph to you *en-route* was indicative of the incidents of the day.

HEAD QUARTERS IN THE FIELD, 12 o'clock M., Oct. 24, 1864.

MAJOR GENERAL HALLECK:

Washington, D. C.

My pursuit of Price has extended down the line road opposite to Paola. He makes rapid progress, but dead horses and *debris* show his demoralized and destitute condition, and my probable success in overhauling him.

S. R. CURTIS, Major General.

I also sent the commander, Col. Drake, at Paola, intelligence of my progress, as follows:—

IN THE FIELD, ON LINE ROAD, 12 M., Oct. 24, 1864.

COL. DRAKE:

Your post and all north are now safe against Prices movements, as the advance of my pursuit is now south of you, and continuing rapidly, I hope fresh mounted troops will press down on Price's flank, by the Fort Scott roads, and by traveling night and day, strike his train.

He is scattering his heavy baggage along the road, but making rapid progress due south. I have fears he may move against Fort Scott, but shall press him so hard to-night he will not dare to make the divergence.

Try to press provisions to supply us as we go, or on our return.

S. R. CURTIS, Major General.

Our trains could not overtake us, and we had to pick up forage and food by the way, as occasion offered.

Fortunately the enemy left cattle along the road, which generally supplied us.

We halted to kill some of these near Westport, when night overtook us.

After about two hours rest, and refreshment, mainly on fresh beef, without salt or bread, I ordered the march resumed, Gen. Pleasanton's division alternating in taking the advance, and at eight o'clock it moved on cautiously, the night being very dark and rainy.

About one o'clock A. M., of the 25th, Gen. Sanborn, in the extreme advance, halted, sending back intelligence of his arrival near the Marias-des-Cygnés (pronounced in the country, Mary-de-Zene), where the enemy was in great force.

I sent forward Major Weed, Major McKenny and Major Hunt, to reconnoitre the premises, and directed Gen. Sanborn to open on the enemy with artillery, designing to interrupt his repose rather than make an assault, but the darkness,

rain, and washed roads, precluded it. Major Hunt formed three squadrons of the 2d Colorado regiment in advance, close on the enemy, and directed them to drive the enemy's pickets in and take possession of one of two mounds that occupies an isolated position on the north side of the stream. These daring troops gallantly opened the contest about three A. M., carrying out this order, assisted by Col. Gravelly, and a portion of the 6th and 8th Missouri state militia.

BATTLE OF MARIAS-DES-CYGNES.

The enemy had gone into camp in the timber, skirting the Marias-des-Cygnés, near the town of Trading Post, making fires and other extensive arrangements for rest and refreshments. My day and nights march brought my advance close upon them about 12 o'clock M., of the 25th, and at 3 o'clock Major Hunt led three companies of the 2d Colorado to attack and take the mound which commands the valley of the stream. This was gallantly executed.

I had sent a special order to Gen. Sanborn, who commanded the advance brigade, by Major Weed, to push forward artillery and open at long range.

This was retarded by the darkness, but the artillery fire commenced about four o'clock, A. M. As daylight approached our troops deployed, moving in lines against the enemy, who still occupied one of the hills and the timber skirting the stream.

As our lines rose steadily on the side hill, the enemy's forces on the summit melted away, till finally our forces had secured all the commanding position, with very little loss. Skirmishers moved into the timber, when the rebel camp was deserted in great confusion. A stand was made at the river crossing, where the enemy was felling trees and firing cannon, but our advance was so close upon them they left their guns and the ford, retreating in disorder.

(To be continued.)

COMMENDATIONS OF THE PRESS.

We cannot refrain from making a few extracts from the many compliments, which the ever-generous press of Iowa never tires of paying the ANNALS:—

"The ANNALS is doing a good work in hunting up and publishing many interesting facts concerning the early settlers and settlements of our state, which would soon be lost through the death of the actors, and it should be more extensively circulated than it has heretofore been."—*Waterloo Reporter*, March 23.

"This useful quarterly is preserving very many of the reminiscences and incidents of early Iowa history. 'The Maniac of the Border,' which appears on the first page of this paper, is copied from the last number."—*Manchester Union*, March 24.

"The January number of this quarterly is the best yet issued."—*Keokuk Gate City*, March 23.

"A very valuable publication."—*Des Moines Daily Bulletin*, March 22.

"The current number contains a number of interesting historical and biographical papers."—*Tipton Advertiser*, March 24.

"Articles of general interest fill the magazine with choice and instructive reading."—*Vinton Eagle*, March 23.

"The last number contains a vast amount of interesting reading. The articles are all well written, and readable."—*Adair County Register*, March 24.

"Its contents are quite interesting to the old settlers of Iowa."—*Lyons Advocate*, March 23.

"The ANNALS is fully up to the standard. The articles are well written, and put up in excellent type, on first-class paper."—*Potomac's Washington Correspondence in Ottumwa Courier*.

"We have fallen in love with the ANNALS OF IOWA, and think every man in Iowa ought to read it."—*Vinton Journal*, March 31.

"A very interesting and useful quarterly."—*Cedar Rapids Times*, March 31.

"This is a publication which every old settler, especially, and all who have an interest in knowing the particulars of the early history of our state, generally, should take."—*Tama County Republican*, March 24.

THE LEGISLATURE, AND THE HISTORICAL SOCIETY.

The failure of our law-makers, at their last session, to make any provision for meeting the constantly increasing expenses of the State Historical Society, will very much cripple its work, and contract the sphere of its usefulness for the next two years. Cherished plans must be relinquished, modest estimates reduced, new enterprises abandoned, and, possibly, the size of the ANNALS diminished. The binding of files of newspapers which have been accumulating for decades of years, the procurement of images on canvas, stone, or steel, of eminent citizens, living, and dead, and additions of all kinds to the library and cabinet, must remain in abeyance, for the present.

"A bill for an Act to provide for the expenses of the State Historical Society" was introduced in the house of representatives, and, undoubtedly, the propriety of its passage only needed to be explained to the members to secure its all but unanimous approval by the legislature; but, near the end of the session, it was killed by "Little Johnny Green," (most likely, the same blood-thirsty youth who put the cat in the well,) who moved its consignment to the almost bottomless well of indefinite postponement, where it now lies, to be raised and restored to us in the form of law, as we hope, by some "Tommy Stout" of the next general assembly.

Some men have a direct interest in the suppression of history, and Johnny Green, of Scott county, seems to be one of them, as may be judged, if the report be true, by his constantly appearing, during the session of the legislature just closed, in the odious character of lackey and scavenger to one of the most unprincipled and unscrupulous adversaries of his own party.

ANNALS OF IOWA

Vol. VIII

IOWA CITY, JULY, 1870.

No. 3

THE EARLY HISTORY OF IOWA.

BY CHARLES DODGE.

(Continued from page 105.)

The propriety of assuming the responsibility of a state government was discussed at an early day; and this question was brought before the legislature, and on the sixteenth of February, 1842, a law was passed providing for a convention, and the taking of the necessary steps for the establishing of a state government. The convention was to consist of eighty-two members, and to meet on the first Monday of the next November; but before the law was to be in force it was to be submitted to the vote of the people.

But it seems that the people did not at that time feel disposed to assume the responsibility of a state government; for at the next election the proposition was voted down.

In the fall of this year there was another treaty held with the Sac and Fox Indians. At their agency, and on the eleventh of October, 1842, an agreement was signed for the purchase of all of their lands in Iowa.

By the provisions of this treaty the Indians retained the right to occupy in that part of their lands which lay west of a line running due north and south from the Pointed or Red Rocks on the White Breast fork of the Des Moines river, for the term of three years.

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In consideration of the grant of lands, the United States agreed to pay the Sac and Fox Nations, yearly, an interest of five per cent on the sum of eight hundred thousand dollars, and pay all their debts, which at that time amounted to two hundred and fifty-eight thousand five hundred and sixty-six dollars and thirty-four cents.

The United States was also to give the Indians a tract of land suitable and convenient for their puposes; some were on the Missouri river, or its waters, and "establish and maintain two blacksmiths' and two gunsmiths' shops convenient to their agency, and employ two blacksmiths with necessary assistants; and two gunsmiths to carry on said shops;" one of each for the Sacs, and one of each for the Foxes, the expense of which was to be paid out of their annuity, except such aid as the United States were under obligations to do by previous treaties.

The President of the United States was to have the line run from Red Rock, north and south, so soon after the ratification of the treaty as was practicable; and have it marked so that the Indians and whites might readily know the boundaries which were to separate their possessions, till the Indians moved to their permanent homes. The Indians were to give possession of all their lands east of Red Rock on the first of May, 1843, and move west.

When their new hunting grounds were allotted to them, on the west side of the Missouri, and the Indians prepared to move, it was incumbent on the United States to take them to their new homes, provided they moved within three years; if not, they were to go at their own expense.

It was also stipulated, that each of the principal chiefs of the nation should have out of their annuities, five hundred dollars, annually, to be expended by them, with the approbation of their agent, for such purposes as they might think proper. It was further provided, that there should be a fund amounting to thirty thousand dollars, retained at each annual payment in the hands of their agent, to be spent by the chiefs, with his approbation, for national and charitable pur-

poses, such as the support of their poor, burying their dead, and such other purposes of a general utility, as their chiefs might think proper.

The eighth article of the treaty sets forth, that "the Sacs and Foxes have caused the remains of their late distinguished chief, Wapello, to be buried at their agency, near the grave of their late friend and agent, General Joseph M. Street, and have put into the hands of their agent the sum of one hundred dollars, to procure a tombstone, to be erected over his grave, similar to that which has been erected over the grave of General Street; and because they wish the graves of their friend and chief, to remain in the possession of the family of General Street, to whom they were indebted in his lifetime for many acts of kindness; they wished to give to his widow, Mrs. Eliza M. Street, one section of land, to include the said graves, and the agency house and enclosures around and near it."

The provisions contained in this article of the treaty, were the occasion of much discussion. Reservations heretofore made had been the occasion of much trouble, and the instructions to Governor Chambers in holding this treaty were to allow no reservations to be made, and it was strongly urged on his part, that there should be none.

The chiefs claimed other reservations, which they were induced to yield; but they said that they had promised the family of General Street that his grave should be respected, and they most positively refused to make any cession of land unless this reservation was made. After much delay, and finding it useless to contend, Governor Chambers consented that this reservation should be included in the articles of the treaty. And for fear this might be rejected, Keokuk caused another article to be added to the treaty, which provided: "That, should the senate disagree to, and reject, alter, or amend any portion or stipulation thereof, the same must be again submitted to the Sacs and Foxes, and assented to by them, before it should be considered valid, and obligatory upon them."

Under these circumstances, the treaty was ratified by the senate without any alterations, and patents were issued to Mrs. Street to six hundred and forty acres of land, "in such legal sub-divisions as included the burying ground, the agency house, and improvements around and near it, as was selected by Mrs. Street."

As soon as it was known that this treaty had been made, there was a great rush of immigration to Iowa, and large numbers marked out and made temporary settlements near the boundary line of the Indian country, so as to be ready on the first day of the next May to move into the new purchase, and select choice locations for their claims.

The winter of 1842 and 1843 is noted as the cold winter. There was a snow about a foot deep fell on the night of the ninth of November, most of which lay on the ground till the next April. During most of the winter the snow was from two to four feet deep, and a great portion of the time the thermometer was about twenty degrees below zero.

On account of there being a large immigration to the territory the previous fall, and the long and severe winter, there was a great scarcity of provisions and feed for cattle; so much so, that many horses and cattle died, and many farmers were very much incommoded by losing their stock.

The wolves, that winter, were unusually thick, probably being driven from the Indian country into the settlements on account of hunger, to find something to live upon. And so thick and troublesome were the wolves that parties were formed in almost every neighborhood to hunt them. The mode of hunting wolves was, whenever there came a snow, to gather up a party of men on horseback, sometimes as high as twenty or thirty, and go out on the prairies with a pack of dogs. When the snow was light, the wolves would sink into it, and could not run as fast as a horse. The dogs were sent out to hunt up the wolves and the horsemen followed slowly after them till they started one, when the horsemen gave chase at the full speed of their horses, and would run over the wolf, or turn his course, and thus delay his flight till the dogs

came up, and in this way they were almost sure to kill the wolf. Sometimes a wolf would get into a beaten track, when they were closely pursued, and would not leave it, and in this way they were frequently driven into the towns and killed in the public streets.

The prairie chickens and other game died from the cold or starvation, or were destroyed by the wolves, so that for a year or two there was hardly any to be found.

The wolves, though they suffered from the chase in the fore part of the winter, when the snow was light, in the latter part, when the snow became compact, had a season of ease and plenty; for the snow became so solid that it would bear them up, and they could run on the crust, while a horse or man would sink into it, and the wolves could easily get out of the way of those who attempted to pursue them. But the snow was not solid enough to bear up a deer, and while in his leaps the small feet of the deer penetrated the snow, the wolf not being thus impeded, could easily outrun him, and from this cause the carcasses of many deer were found which had been killed by the wolves.

The Mississippi river was frozen as low down as Ft. Madison, so that they crossed over with teams on the ice till after the first of April.

Across the prairies, over which the wind had a fair sweep, it kept the beaten track even with the surface of the unbeaten snow, and, the track becoming compact, in the spring when the snow melted away, it did not go off in the roads till long after it had disappeared in places where it had not been tramped. And where there had been a beaten track there was a solid bank of snow or ice from two to four feet high, which looked as if some one had attempted to fence up the lands with solid walls.

When the legislature met at Iowa City on the first of December, 1842, the place had so far improved that the members of the legislature and other visitors found very comfortable accommodations. There had been, during the summer, a large brick house put up on the south side of the Cap-

itol square, called the "Globe House," but generally known among those in the city as the "Brick Dust." Swan had built an addition to his hotel, so that by these additional hotel facilities, visitors to the city had no occasion to complain of their accommodations.

The walls of the capitol had been carried up to the square, and all the mason work of the south gable completed. The roof was on, and the north gable boarded up with rough boards. The cupola was finished to the first contraction and the top temporarily inclosed; the two large rooms on the east side and two small ones on the west, in the second story, were so far finished that they were occupied by the legislature and officers of the territory.

At the commencement of the year of 1842 there was a great crisis in money matters. Most of the banks through the country had suspended specie payment in the fall of 1840, and many of them at this time were afraid to make their accustomed loans. For several years previous to 1840 there had been carried on through the whole country a wild species of speculation, and real estate everywhere increased in value, and particularly the lands in the west had gone up to very extravagant prices. Owing to the excitement in speculation, most everybody had become more or less in debt. The banks were not able to keep out their usual circulation, but were compelled to call in their outstanding dues to enable them to redeem their returning bills; money everywhere became scarce, and property went down in value faster than it had gone up, and it was almost impossible to sell at any price.

General Harrison, who had been elected President in the fall of 1840, almost as soon as he had been inaugurated into the presidential chair, issued his proclamation for an extra session of Congress. At this special session of Congress almost the first act passed was a law establishing a uniform system of bankruptcy through all the states. And a great many of those who had involved themselves in debt by means of speculation or otherwise, availed themselves of this mode of paying off their debts. Such was the number of those who went

into bankruptcy that there seemed to be a universal distrust among business men; and no one who had been engaged in business where it required him to purchase and sell on credit, was able to tell whether he could close his business and be able to pay his liabilities.

In addition to the general crisis all over the country, early in the year of 1842 all the Illinois, Wisconsin, and a great portion of the Michigan and other western banks failed. The Illinois banks were estimated to have over three millions of dollars in circulation, which, in the market, was only worth from thirty to forty cents on the dollar, and the notes of these banks soon went out of circulation, and most everybody in the west lost more or less on these bills.

The loss sustained by the failure of banks, and the hard times occasioned by the general panic in the money market, created a great prejudice against all banks, and the sentiment prevailed, to a great extent, in favor of a strictly hard currency, and this was made, to a certain extent, in many parts of the country, and particularly in the west, a political issue.

The Miners' Bank, of Dubuque, which was chartered by the legislature of Wisconsin, and the only one at this time in Iowa, suspended specie payment the last of March, 1841, and refused to redeem its bills with specie till the first of July, 1842. As soon as the bank resumed specie payment, the demand for specie was so great that in about a week it again suspended, and the result was that the value of the notes of the bank became greatly below par. The course pursued by this bank was such that the legislature, which met on the first Monday in December, 1842, thought proper to make an investigation of its affairs.

This bank, like many others, had been started on fictitious capital. The stockholders, instead of paying their stock in money, when the bank commenced business, executed their notes, and among the number was a man by the name of Saint John, who resided in St. Louis. Saint John had become a stockholder to the amount of forty thousand dollars by executing his notes to the bank, and afterwards became in-

debted to it by borrowing money to the amount of fifty-seven thousand dollars, and, before he had paid any of this indebtedness, failed, and took the benefit of the bankrupt act. And the whole of the indebtedness was a loss to the bank.

Thomas Rodgers, a member from Dubuque, in the early part of the session, gave notice of his intention to introduce a bill to repeal the charter of the bank, and provide for winding up the affairs of the same; which was subsequently done, and the whole matter of the bank was referred to a select committee of one from each senatorial district, of which committee George H. Walworth was appointed chairman.

Richard F. Barrett and Thomas Marther, of Springfield, Illinois, the former a wealthy man, and a large land holder in Iowa, and the latter the president of the State Bank of Illinois, had become interested in the Miners' Bank of Dubuque, for they saw that the banks of Illinois, and many other of the western banks would have to be closed up, and, thinking that a bank at Dubuque would, probably, be a profitable institution, made their arrangements to buy up the stock and secure its charter. They had so far secured the control of the bank at Dubuque, as to deem it advisable to make an effort to preserve the institution by advancing funds, and using their influence to prevent the legislature from repealing its charter. The democrats had the ascendancy in the legislature, and any measure which could be adopted to cripple or break down banks was, at that time, in Iowa, considered good democratic doctrine. Barrett knew, in order to carry out his plans and revive the bank at Dubuque, he must have the sanction of the legislature, and that it was necessary for him to bring some influence to bear on the democratic members of the legislature to get a favorable action of that body. Barrett selected a man by the name of Morbley, and sent him to Iowa City as a lobby member, to look after the interest of the banks, and he brought with him several letters from Barrett to some of the prominent members of the legislature. Morbley did not manage his cause with as much skill and caution as prudence for his cause demanded; for, when there seemed to be a dis-

position among the members to sustain the banks, *Madame Rumor* soon had it reported to the public breeze, that there was some improper means being used to obtain a favorable action of the legislature in behalf of the Miners' Bank, of Dubuque.

The *Iowa Capital Reporter*, then conducted by Jesse Williams and Thomas Hughes, speaking of the action of the legislature in relation to the Miners' Bank, said : —

“To justify those gentlemen in a little better manner than they have done in the article in question, and to show that they are not altogether fools, it is necessary for us to state and inform the public that they have a much more substantial argument for so sudden and great a change. Some offer and promises of a personal reward and private advantage have, it is well known here, been made from a certain quarter, to certain members of the legislature, in consideration that they will interpose to save the bank. There might have been some delicacy in putting this into the manifesto, but it undoubtedly had more weight in the change of opinion, than an expectation that the State Bank of Illinois, unable to redeem its own bills, can spare fifty thousand dollars to carry on business abroad.”

This article in the *Reporter* produced much sensation among the members of the legislature, and, in the house, a resolution was adopted —

“That a committee of five be appointed, with instructions to cause Jesse Williams and Thomas Hughes, editors of the *Reporter*, to appear before said committee, and to them give testimony, under oath, in relation to said charge; also, to send for such other persons and papers as they may deem proper, relating to the subject of said charge, and report to the house without delay.”

Walworth, Bunker, Falkner, Hepner, and Newell, three whigs and two democrats, were appointed the committee, and immediately proceeded to investigate the matters referred to them. The result of the examination showed that Barrett had employed Morbley to come to Iowa City to use his influence

to get the legislature to sustain the bank, and had sent by him four letters to members of that body. One was addressed to James Morgan, the speaker of the house; as follows:—

“[Confidential.]

“SPRINGFIELD, ILLINOIS, Dec. 26, 1842.

“*Dear Sir*:—The Dubuque Bank charter is owned by the Gas Light Company, in St. Louis, and I am in treaty for it. If I get it, a company of us will put in from fifty thousand to one hundred thousand dollars capital, in specie, and we will make it one of the best banks in the Union. I see the charter is menaced; now, I ask your kind offices in preventing its destruction, until I can have time to consummate my arrangements. You know my attachment and interest at Burlington, and, if I succeed, the institution can and shall throw benefit to that city and the whole territory, and upon you, too, individually, if an opportunity should offer.

“I shall write to Leffler, Springer, and Patterson on the subject, and will, also, try and have the Dubuque delegation influenced. All I want is six or eight months to make arrangements, and clear incumbrances from the bank. The capital to start it can be got at any time.

“Your friend, truly,

“RICHARD F. BARRETT.”

The letters to Leffler, Springer, and Patterson were of the same character as the one to Morgan, except there was no offer to bestow upon them individual favor.

Nearly all of the members were examined, but there was no positive proof of any direct attempt to bribe any of them. Morbley, however, soon found that Iowa City was not a very pleasant place for him, and, suddenly, was among the missing.

The committee to whom the matters of the bank had been referred could not agree, and brought in two lengthy reports. Hepner, on behalf of the majority, reported in favor of repealing the charter of the bank, and providing for winding up the affairs of the institution, and, as a part of his report, submitted a bill to carry his recommendations into effect. Wal-

worth, a leading whig in the house, as chairman of the committee, made a lengthy report, discussing the constitutionality of the bill reported by Hepner, and, in his report, he tried to put as favorable an aspect on the doings of the bank as they could, and took grounds against a "full and unconditional repeal of the charter," as aimed to be done by the majority report, principally for the reason that the property of the bank would "revert to the grantors of the charter, or escheat to the people," and deprive those interested in the institution of their just rights, but wound up their report by saying that they "deemed all banks which do not, at all times, and under all circumstances, pay specie for all their liabilities, as unsafe, and dangerous to the best interests of the community; and, in order to protect the community against unsound and spurious currency, they deemed it inexpedient to legalize or justify bank suspension, and, therefore, have prepared a bill providing for closing and winding up the affairs of the bank, in such manner as will secure the assets of the bank to its creditors."

The minority report did not meet with much favor with the democrats of the house.

Walworth and the other whigs offered several amendments to Hepner's bill, but they were voted down, and the bill finally passed, very nearly as it came from the hands of the committee, by a unanimous vote of the house, many, probably, voting for it against their real sentiments, fearing, on account of the rumor of bribery which had been circulated, that they might be liable to the charge of being influenced through personal consideration. The bill went to the other branch of the legislature, and was delayed by the friends of the bank so that the council adjourned without taking any action on its merits, and thus, for a while, the existence of the bank was prolonged.

The committee to whom was referred the article in the *Iowa Capital Reporter*, like the committee on the bank, could not agree in their conclusions, making the question a political issue.

Walworth and his two whig associates made a lengthy re-

port, in which they included all the testimony they had taken, and concluded their report by recommending the passage of resolutions of censure.*

Hepner and Falkner were opposed to that part of the majority report in relation to the editors of the *Capital Reporter*, and took the ground that the matter was not "within the authority or jurisdiction of the house," and "that the public and the press had a right to speak of the conduct of members of the legislature as well as others"; "if the press transgressed its limits, the judicial tribunals of the land are open for redress of the injured party; "but the legislature cannot punish or censure an individual for speaking against members." These reports were laid on the table, and thus the matters ended, as far as the legislature and the editors of the *Reporter* were jointly concerned.

The result of this investigation was, that the bank, which, at the first of the session, had many warm supporters, and, at one time, had a strong probability of being sustained by the legislature, became more odious in the estimation of the public than ever.

The contest about the bank was not confined to the halls of the legislature. The report made by Walworth, and the resolutions concerning the editors of the *Capital Reporter*, though not adopted by the house, so much incensed the conductors

* The resolutions were as follows:—

"WHEREAS, It appears by the testimony herewith submitted, that overtures highly improper have been made by Richard F. Barrett, of Springfield, Illinois, to a member of this legislature; and, whereas, it has been represented by an article in the *Iowa Capital Reporter*, that members of this legislature have been influenced by such overtures; and, whereas, it appears from the testimony that such reports are untrue; therefore,—

"Resolved, That we regard the communication of Richard F. Barrett to James Morgan as highly improper, and unworthy of a gentleman or an honorable man.

"Resolved, That we deem the delivery of the letter by Mr. Morbley to Mr. Morgan, the contents being known to Morbley, as rendering him, to some extent, culpable or accessory to the offense committed by Mr. Barrett.

"Resolved, That we regard the course pursued by James M. Morgan, in relation to said communication, as indicating no disposition to be influenced in the slightest degree by overtures therein contained.

"Resolved, That we regard the charge contained in the *Iowa Capital Reporter*, of the 21st instant, implicating members with having been influenced in their legislative action, by promises of personal reward and private advantage, as entirely untrue, and highly reprehensible in its character, and, therefore, we deem the editors justly deserving the censure of this house."

of that paper that they made a poignant attack upon Walworth, and very severely criticised his course in the legislature. Walworth, being a spirited man, did not quietly rest under the castigation given him by the *Reporter*, but, meeting Williams, who was understood to have charge of the editorial department of the paper, one day in the library room, made an attack on him, and, being much the stronger man, threw him upon the floor and commenced beating him. Williams, being spunky, and not wishing to acknowledge himself whipped by crying enough, continued the tussle, and Walworth kept on beating him till the floor and carpet were besmeared with a puddle of blood. While the fight was going on, Secretary Stull, who had just fitted up the room with a new carpet, came into the library, and, seeing how his carpet was being soiled, feeling, doubtless, more anxiety for his new carpet than for the bruised forms of the combatants, cried out at the top of his voice, in an angry tone, "You d—n scoundrels! what are you spoiling my carpet for?" and instantly seized hold of both of them and put them out of the room. Williams, not being satisfied from the pounding he had received to let the matter drop, as soon as he had recovered from his wounds so as to be able to be about, seeing Walworth in the post office one evening, come up behind him, and, before Walworth knew what he was about, struck him a severe blow over the head with his cane. But, in this contest, as in the other, Williams got the worst of the encounter, and this closed the contest about the Miners' Bank for that session of the legislature.

About the commencement of the year 1843, there was one of the hardest times in the money market that had ever been known in the west. All the Illinois, and a great portion of the other western banks' paper, had gone out of circulation; land and everything had gone down in value to almost nominal prices; corn and oats could be bought for from six to ten cents per bushel; pork at a dollar a hundred; and the best kind of a horse which the farmer could raise would only bring from fifty to sixty dollars. Most everybody was in debt, and

the sheriff and constable, with a legal process, trying to collect debts, were common visitors at almost every man's door, and much property was sold on execution at very reduced prices. To try to alleviate the general financial distress of the territory, was a question of much consideration before the legislature at that time. To accomplish this, they passed what was generally known as the valuation law. This law provided, that when an execution was issued to be levied on property, that the officer should take such property as the defendant might direct. If the levy was made on real estate, the officer was required to call an inquest of three disinterested men, having the qualification of jurors, who were to value the land under oath, and if the land did not sell for two-thirds of its value, then the sheriff was to offer it to the plaintiff, and if he would not take it at two-thirds of the appraised value, there was no sale, and the land could not be offered again for twelve months, only at the costs of the plaintiff, unless, when offered, it should bring more than two-thirds of its value, then the cost was to be paid by the defendant. In relation to personal property, the officer was to select two disinterested persons, who, with himself, were to appraise the property, and if it did not sell for two-thirds of its value, then he was to offer it to the plaintiff, and if he did not take it at two-thirds of its value, the officer was to return no sale, and it would not be offered again, unless at the cost of the plaintiff, for six months. This law, to some extent, worked a relief to those who were in debt, by preventing their property from being sold at a sacrifice, for, after the passage of this law, debts were mostly settled without legal process.

This financial distress of the country was attributed to the banks by the democratic political party, and, assuming this to be the cause of this depression in business, this party, particularly in the west, were hostile to all banking institutions, and in favor of a specie currency; and almost the first move that was made in the Iowa legislature, which convened on the first Monday of December, 1843, was the introduction

of a bill to repeal the charter of the Miners' Bank, of Dubuque. Numerous petitions were sent from all parts of the territory, some for sustaining the bank, others for repealing its charter, and this institution was the great question of the session. The citizens of Des Moines county, and, particularly, those of Burlington, to whom Barrett, the previous winter, had made proffers of personal benefit if the bank could be sustained, were the most active in showing their hostility to this institution. They got up a letter of instruction, which was signed by eleven hundred and seventy-two citizens of the county, nearly as many as they had voters, instructing their member "to vote for the passage of a law compelling the Miners' Bank of Dubuque to resume specie payment within thirty days, and, in case of a refusal, to authorize the judge of the district court to appoint commissioners to wind up the affairs of the bank." This letter of instruction was presented to the house by Grimes, when Hackleman, of Des Moines county, raised a question of order, insisting that, inasmuch as the letter was addressed to the members of Des Moines county, and not to the legislature, that they had no right to receive it. This excited much feeling, and, after a long debate, the speaker decided that the letter could not be received, inasmuch as it was directed to the members of a county, and not to the house, or to the legislative assembly. But, on reflection, the speaker changed his opinion, and, the next day, the letter was received by the house and reported to the proper committee.

The bill for repealing the charter of the Miners' Bank of Dubuque, and providing for winding up the affairs of the same, passed the house and was sent to the council. In the council, the bill was amended by striking out all after the enacting clause, and providing, among other things, that the bank should resume specie payment within thirty days after the passage of the act, and should make its notes redeemable in specie, at Burlington, St. Louis, and New York, and the cashier was required to make out, under oath, once in every ninety days, a statement of the financial condition of the bank, and publish the same in some paper; and, in case the bank refused to

comply with the provisions of this act, or at any time refused to pay any of its liabilities in specie, at any of the places where its bills were made redeemable when demanded, then the district attorney of the third judicial district was required to immediately sue out a writ of *quo warranto*, and prosecute the same to final judgment, in accordance with the provisions of the law of the territory. It also provided that the stockholders should be individually liable to the amount of their stock, and that the bank should not issue its own, or the notes of other banks, of a less denomination than five dollars. The bill so amended was passed by the council with only three dissenting votes, and sent to the house for their concurrence. The house refused to concur, and sent the bill back to the council, when Joseph B. Teas moved to lay it on the table till the fourth of July next, which motion was decided in the affirmative. And thus ended the contest for that session of the legislature, about the Miners' Bank of Dubuque.

To a disinterested observer, it might appear singular to see the zeal manifested by the members of the legislature to destroy this banking institution, because it did not promptly pay its notes in specie, while at the same time, the territory was owing the bank for money borrowed to expend in completing the capitol, in the sum of five thousand and five hundred dollars, besides interest, which amount was borrowed and became due before the bank suspended specie payment. And it was shown by the committee appointed to investigate the affairs of the bank, that this sum, together with the specie on hand at the time of the investigation, would have been sufficient to "redeem all the bills the bank then had in circulation not in the hands of the stockholders." And, while it was well known to the members of the legislature that the bank wanted this money, they made no provision to pay the bank its just dues.

THE GARRY OWEN VOTE.

BY WM. H. TUTHILL, TIPTON, IOWA.

There are many amusing incidents in the early settlement of Iowa yet unrecorded by the historian, particularly among the political struggles between the whig and democratic parties for supremacy.

The story of the "Woodbridge Sell" has been perpetuated in the April number of the ANNALS, and the tale of the "*Garry Owen Vote*" is now submitted as an episode of like character.

During the territorial days of Iowa, Jackson county, by her unswerving fidelity and large majorities for the democratic ticket, claimed and was awarded the high sounding appellation of the "Banner County," and, as a reward for her faithful services in that behalf, one of her aspiring sons, a stage-driver, was elevated to the commanding position of governor, to the entire satisfaction of his supporters, of whom none were more exultant than the unterrified voters of Garry Owen.

Now, as some of the readers of the ANNALS may not be particularly well posted in the topographical history of their own abiding places, it may be well enough to state that Garry Owen is, or was, a sort of *terra incognita*, situated in Butler township, in the north-western part of Jackson county, and that its inhabitants were composed exclusively of that portion of the Caucasian race known as Catholic Irish, who, it was said, refused to permit any but *whole-hog democrats* to settle within their boundaries, and it was also asserted that the only one among them who could read and write held the office of postmaster, and furnished the tickets for each of the hardy sons of Erin to vote at each periodical return of election day. These representations may, possibly, have been erroneous, but it was an incontrovertible fact that, at the closing of the polls, *that* precinct invariably made the return of a solid and undivided vote.

In the onward progress of events a state government was inaugurated, and the whig party had, to a great extent, succumbed to the strength and numbers of its opponents, when a new and startling phase appeared in the political hemisphere, in the advent of the "*know-nothings*," who, by some undiscovered system of their own, without visible means, silently appeared, grew, culminated, and became victorious, baffling and disconcerting all the schemes and wire-workings of time-honored politicians. Still, however, the usual party machinery was kept in motion, and in the spring of 1855 a regular democratic convention was held, and A. R. Cotton, Esq., of Clinton, duly nominated as their candidate for judge of the eighth judicial district, then composed of Muscatine, Scott, Cedar, Jones, Clinton, and Jackson counties, in which, as the party majority was considered perfectly reliable, and, with a candidate whose character was irreproachable, capability undoubted, and popularity well attested, it might well be supposed there would be no serious opposition.

The astute old whigs, after due deliberation, determined that it would be unadvisable to hold a convention, but suggested that one of their own number, a well known attorney or Cedar county, should be announced as an independent candidate. Of this resolve the ubiquitous "*know-nothings*," by some means or other, possessed themselves, with the further information that he would be warmly supported by the new temperance party, under the lead of Hiram Price, Esq., of Scott county, and sagaciously concluded to aid the movement, which, if successful, they would claim as their victory. The secret workings of the order have never been fully developed, but the machinery must have had skillful engineering, for it seemed to be a modern exemplification of the ancient *veni vidi, vici*, and the conclusion might well be drawn that, *great was America, and "Sam" was his prophet!*

One of the principal objects of their ambition being to demoralize the dominant party, it was a logical conclusion that the "*Banner County*" would be strongly assailed, and, as it afterward appeared, every effort that skill and subtility could

devise was made to revolutionize the stronghold of democracy ; among others, the ingenious *ruse* practiced on the ignorant voters of Garry Owen may serve as a specimen.

Knowing their irreconcilable hostility to the know-nothings, a well known democrat (although, secretly, one of the dark-lantern gentry), was despatched to Garry Owen, and, in an interview with the postmaster, informed him, in strict confidence, that it had just leaked out that Cotton had joined the detested order, and that proof could be had of his assisting at the initiation of a candidate, adding that the discovery was made in consequence of the novice refusing to take the obligation, and, being indignant at the deception practiced on him, had divulged the whole proceedings.

This artfully concocted story, coming, as it did, from one of their own file leaders, so exasperated the faithful Hibernians that they at once positively declared that "divil-a vote for Cotton" should be given in that precinct, the news of which resolve soon seached him, when, provoked by the audacious calumny, he very injudiciously (as it afterward proved) went before a notary public and made oath that he was not and never had been a know-nothing, and was totally opposed to them and their doctrines. Copies of the affidavit, duly attested by the notary, were forwarded to Garry Owen, and the vile slander was supposed to be fully and entirely confuted. But the wily followers of "Sam" were not so easily disconcerted ; for, the day before the election, the same agent *happening* to visit that part of the country, explained the situation, pointed out to his credulous hearers that it was a well known principle of these sacriligious wretches to deny that they were know nothings, and, if necessary, to *swear* to it ; boldly asserting that the "affidavit" itself was incontrovertible evidence that their candidate *did* belong to the detested fraternity.

The faithful Celts were puzzled ; there was not sufficient time to obtain further information ; and when the returns of the election were canvassed, it was found that there was not a single vote for judge cast in Butler township.

This unprecedented result was accompanied by the startling announcement that Jackson county, for the first time in its history, had failed to support the democratic ticket.

The sequel is obvious. The Cedar county candidate was elected by a large majority, toward which Jackson county contributed her proportionate share, a result due, in some measure, to the absence of the Garry Owen vote.

PIONEERS OF MARION COUNTY.

BY WM. M. DONNEL.

CHAPTER IX.

(Continued from page 136.)

COUNTY OFFICERS — FIRST SESSION OF COMMISSIONERS' COURT — FIRST BUSINESS TRANSACTED — CHANGING THE NAME OF THE COUNTY SEAT — THE ROSE ANN MCGREGOR CASE.

The officers chosen at the first election (the first Monday of September, 1845), were the following:—

Conrad Walters, William Welch, David Durham, *County Commissioners*.*

*The election at which these officers were chosen was a *special* election, and their terms of office expired at the August election in 1846. Then, by an old act of the territorial code, regulating the terms of county commissioners, the one receiving the highest number of votes served three years, the next highest two, and the lowest, one. At the regular election (at the date above mentioned), Samuel Tibbet received the highest number of votes, David Durham the next, and Hugh Glenn the lowest. By authority of an act of the state legislature in 1846-7, the county was required to be divided into commissioners' districts, which was accordingly done at the April term, 1847. All that part of the county north of the river was made to constitute one district, and, in 1867, Thomas Pollock was elected therein to take the place of Hugh Glenn. All that part of the county south of the river and east of the line between ranges nineteen and twenty constituted the second district; and all south of the river and west of said line, constituted the third. Martin Neel was elected commissioner from the second, in 1848, and Miles Gordon from the third, in 1849, as will appear in a list of county officers in another place. At the same date, all of Warren county, which then belonged to Marion, was declared "Warren Precinct," and all the territory west of Warren, also belonging to Marion, was called "Black Oak Precinct."

Sanford Doud, *Commissioners' Clerk*.

Francis A. Barker, *Probate Judge*.

James Walters, *Sheriff*.

David T. Durham, *Treasurer*.

Reuben Lowry, *Recorder*.

Isaac B. Power, *Surveyor*.

Green T. Clark, *Assessor*.

Wellington Nassaman, *Coroner*.

About two hundred votes were polled at this election, and the probable population of the county was about twelve hundred.

For some reason, Sanford Doud, elected as county commissioners' clerk, failed to appear and be qualified in due time, and Lysander W. Babbitt was appointed in his stead, at the first meeting of the board, which was on the 12th of September, 1845. The records, in Mr. B.'s hand, from which we obtained the matter for a large portion of this chapter, are still to be seen in the office of the probate judge, in a good state of preservation.

At the date above mentioned, the commissioners met at Knoxville for business. That place had just been selected by the commissioners appointed in the act given in the preceding chapter, as the seat of justice for Marion county. The house in which the first session was held is described as a "claim pen," made of linn poles, about twelve by sixteen feet square, chinked and daubed in the usual manner of enclosing such buildings, covered with "clapboards," and a square hole cut in the side wall for a window, that could boast of neither sash nor glass. This cabin stood in what is now block thirty-three, in the east part of the city.

As a matter of historical record, we here introduce a *verbatim* copy of the first entry made upon the minute book of this court. The first meeting of the first commissioners' court was, certainly, a sufficiently important event in the history of the county, all circumstances considered, to be distinctly remembered, and the tone of the preamble seems to have emanated from a due appreciation of this fact:—

"Be it remembered, That on the 12th day of September, A. D. 1845, Conrad Walters, David Durham, and William Welch, county commissioners, duly elected and qualified within and for the county of Marion, in the territory of Iowa, met at Knoxville, the seat of justice for said county, for the purpose of holding a called session of the county commissioners' court of said county."

The court was then opened by L. C. Conray, deputy sheriff, and the only important business transacted related to the county seat. The two commissioners who had made the location presented their report, which was received and placed upon file. It was dated August 25th, and designated the north-west quarter of section seven, township seventy-five, range nineteen,* as the most suitable place for the seat of justice for Marion county. This was on a high, level prairie or plateau, about one mile south of the exact center of the county, and in the near neighborhood of excellent timber, so that no better location for the convenience of the people then, and for all time to come, could have been selected. For those living north of the Des Moines river it may be deemed more or less inconvenient to reach it at certain seasons of the year, when that stream is an obstruction to travel; but this difficulty could not have been overcome by any other location; it was one that could not be moved, but might be materially modified by ferries and bridges.

Within the last few years, some of the citizens north of the river have spoken favorably of dividing the county and erecting a new one from the strip of territory lying between Des Moines and Skunk rivers, consisting of parts of Mahaska, Jasper, and Marion counties, thus obviating the necessity of crossing either of those streams to reach their county seat. But it appears evident that the expense of organizing a new county of such a narrow, irregular shape, and maintaining its government at, necessarily, the same cost of larger counties,

*Though the country had not yet been sectionized, the locality above described could be easily ascertained by its nearness to the north-west corner of the township, lying only one mile south of that point.

would be much greater than that required to build a substantial bridge at each of two or three convenient places across the Des Moines and Skunk; or, if bridge building is found to be impracticable, let a portion of the business requiring the attendance of the people living there, at the county seat, be transacted at some given point north of the river. This is a digression from the true line of our history, but, in our opinion, not less important. We deprecate a division of the county as tending to no beneficial results.

The locating commissioners suggested the name of Knoxville for the county seat, in honor of the memory of General Knox, a distinguished leader in the war for independence, and the authorities of Knoxville afterwards complimented the commissioners by naming two of the principal streets crossing east and west, Montgomery and Robinson.

The name of Knoxville proved generally satisfactory to all concerned except to one individual — L. W. Babbitt — who seems to have had a preference for odd or uncommon names. Some time after, when he kept the post office there, he thought the liability of mistaking Knoxville, Iowa, for some other place of the same name — for instance, the one in Tennessee — in the posting of mail matter, would justify him in obtaining a change of the name. So, having business in Iowa City on the occasion of the first session of the state legislature, in the winter of 1846-7, he there took the opportunity, on his own responsibility, to solicit an act of that body legalizing the change. Having drafted a bill to that effect, he presented it, and had the satisfaction of seeing it adopted. On his return home, he first stated to D. T. Darham, who attended to the post office and clerkship during his absence, that such was the fact — that Knoxville was no more Knoxville, but Osceola. But so soon as this unauthorized transaction was publicly known, the people were much displeased thereat, and not in the least disposed to pocket the joke. As speedily as possible, a petition was extensively circulated and signed, asking for the repeal of this change, and sent to Iowa City by the hand of James Willes, who delivered it to Hon. Simeon Reynolds, representative from Marion. Mr. R.,

in response thereto, drafted and presented a bill to repeal the name of Osceola, but, by an oversight (which was also the fault of the petition), failed to reinsert the name of Knoxville. The act passed; but now, a worse joke was apparent, from the fact that the repeal of the last name did not restore the former, and, therefore, Knoxville was neither Knoxville nor Osceola. But, after the joke had run a brief season, the matter was readjusted, and Knoxville was herself again.

At the second session of the board of county commissioners, which was on the second Monday of October, a subject of peculiar interest was brought up, by an order, which is said to have been originated by the noted Babbitt, whose exploits have, somehow, rendered him a prominent personage in this history. Said order required that all blacks or mulattos residing in the county should appear before some justice of the peace and give bonds for their good behavior, or be expelled from the county. This order was, in accordance with an act of the territorial legislature, entitled "An Act to regulate blacks and mulattos," dated June 21, 1839. But, in order to a more comprehensive introduction to the subject, we here insert clauses of said act bearing more directly upon the case in hand:—

"SECTION 1. *Be it enacted, &c.*, That from and after the first day of April next, no black or mulatto shall be permitted to settle or reside in this territory, unless he or she shall produce a fair certificate from some court within the United States, of his or her actual freedom, which certificate shall be attested by the clerk of said court, and the seal thereof annexed thereto by the said court, and give bond, with good and sufficient security, to be approved of by the board of county commissioners of the proper county in which such person of color may reside, payable to the United States, in the penal sum of five hundred dollars. * * * * *

"SECTION 2. If any negro or mulatto, coming into this territory as aforesaid, shall fail to comply with the provisions of the first section of this act, it shall be and is hereby made the duty of the county commissioners in any county where such

negro or mulatto may be found, to summon him, her, or them to appear before some justice of the peace to show cause why he, she, or they shall not comply with the provisions of this act. * * * * *

And if such negro or mulatto shall still fail to give the bond and security required by the first section of this act, *

* * * it shall be the duty of the county commissioners of such county to hire out such negro or mulatto for six months, for the best price in cash that can be had. The proceeds of such hiring shall be paid into the county treasury of the proper county, for the use of such negro or mulatto, in such manner as shall be directed by the board of county commissioners aforesaid."

A history of the case may now be in order, and may not prove wholly uninteresting, even to those personally acquainted with the facts. It was known that there was a negro (or, rather, a negress) in the county, else such an order would have been regarded as an idle formality.

Some time in 1844 or 1845, a man named Thomas McGregor came from Illinois to what is now the north-east corner of Indiana township, and called upon Mr. George Henry, a settler in that neighborhood, and asked his assistance in selecting a claim. Mr. H. readily gave him the required assistance, after which, McGregor asked the privilege of moving into the house with him till he could get a cabin fixed up on his claim. Mr. Henry, being desirous of accommodating those who were to become his neighbors, and, inasmuch as the family of Mr. McGregor was small, consisting of only the man and his wife, he readily assented to that arrangement also. But when the guests arrived, the astonishment of Mr. Henry may, possibly, be imagined, when he first beheld in Mrs. McGregor a full-blooded African, about as dark as the darkest of the race, possessing all the charms that could be summed up in a figure of ample proportions, and features of combined brilliancy and prominence. As a matter of course after this discovery, he lost no time in reconsidering his promise. He was not disposed to encourage further "domestic relations" with this in-

teresting pair, and honestly signified to Mac that his mind had undergone a change on the subject. So the latter, with his lovely spouse, was compelled to seek some other shelter. Not finding a house, they camped out, as they had previously done, until their cabin was built. But the nature of their relationship was such that they were not permitted to long enjoy it in peace. It was taken for granted that they were living in violation of a statute of the territory forbidding matrimonial connection between blacks and whites, and, for this offense, were arrested and brought before Justice Levi Bainbridge, on Lake prairie, and tried. Not being very well pleased with the rulings of this court, they took a change of *venue*, and their case was turned over to Justice Mike Morris, who happened to be present. After giving it a hearing, Mike referred the matter to the Mahaska county grand jury — this being previous to the organization of Marion — where it ended, the jury not finding a true bill against the offenders.

But the end was not yet. This was only a brief truce in the tribulations of this unfortunate couple. As we have seen, the lady was deemed an offender against another statute, and that statute made it the duty of the county commissioners to take action in the premises; hence the order noticed on another page. But, for some reason, Mrs. McGregor did not heed the threatening mandate; she was either not aware of its existence, or determined to risk the consequences of disregarding it. But another soon followed, of a more specific character, to the effect that Rose Ann McGregor should appear and give the required bonds, on or before the 29th of January, or "*be sold to the highest bidder.*" But even this failed to bring the stubborn Rose Ann to terms. The fearful penalty of non-compliance therewith, though it may have caused the culprit to tremble in anticipation, moved her not otherwise. It was, therefore, found necessary to bring into action the practical force of law, and the sheriff was armed with authority to bring Rose Ann bodily to the seat of justice. Armed with this authority, and attended by his deputy, Dr.

L. C. Conrey, the two proceeded to the residence of the McGregors. Apparently, this visitation had been expected by the wary Rose Ann; for, when the officers reached the house they found the doors barred, and their application for admittance pointedly refused. Not wishing to perpetrate any violence in the execution of their duty (and, perhaps, actuated by a sense of caution, for Rose Ann was reported to be the possessor of a gun, a good marksman, and, to quote the words of our informant, "some in a bear fight"), they resorted to a little strategical compromise, by which the besieged promised to go to town the next morning. But the officers, having no faith in this promise, retired a few rods from the house and secreted themselves behind a shock of corn fodder, to watch the movements of their intended prisoner, and seize her if a favorable opportunity presented. Presently they saw her emerge from the house, with gun in hand, and survey the premises with a cautious glance. Seeing no danger, she returned within doors, where she left the gun, and immediately reappeared, going to the woodpile for fuel. Now was the best opportunity to nab her. The two men started at their utmost speed, intending, if possible, to get between her and the house; but "the race is not always to the swift." Rose Ann soon discovered them, and so far outran them that she had time to bar the door before they reached it. Here, now, was a crisis that required prompt decision, activity, and nerve; such a thing as being out-generaled by a nigger could not be thought of. Parley was out of the question; and what sort of a report should they make on returning to Knoxville without their prisoner? Their reputation was at stake, and, rather than risk it they would risk their lives. So Walters ordered the Doctor to make a battering-ram of an old sled tongue that happened to be lying near at hand, and batter in the door. The order was immediately obeyed, and, as the door swung back, Walters bounded into the room and caught the determined Rose Ann in the act of raising the hammer of her gun. The Doctor followed, and seized the weapon just in time to save his own life, for it was already aimed at him with the

evident intention of firing. Having disarmed the prisoner, she had no other choice but to surrender unconditionally. The doctor then fired off the gun, the report of which indicated a heavy charge, very probably intended for the use she attempted to make of it.

The battle now over, and the victory so fortunately won, the victors immediately set out on their return to headquarters with the prisoner. It was growing late in the evening, and some haste was necessary to reach town before dark; so, in order to make the better speed, and, perhaps, also prompted by a feeling of generosity, the Doctor mounted Rose Ann on his horse, he going before, leading the way in the narrow Indian trail that, as we have heretofore stated, was then about the only kind of road in the county.

As it happened, the sheriff had business in another direction, and accompanied them only part of the way; consequently, the deputy was left in sole charge of the prisoner. Having been so completely conquered, and afterwards so kindly treated to a means of conveyance, it was not supposed that she would become treacherous or troublesome on the way. But Rose Ann was not to be won by any such evidences of kindness, so long as she was subjected to the humiliating condition of a prisoner for no fault except race and color. She was disposed to take advantage of her captors' confidence, and she did. A short time after the sheriff left them,—the Doctor walking a few steps in advance,—Rose Ann suddenly turned about and dashed homeward on a full gallop, to the astonishment and mortification of her captor, who looked after her a moment without any decisive purpose what to do about it. But he concluded to pursue her at all events, and did so as rapidly as he was able. On the way he found his pill bags which he was then in the habit of carrying with him, being in the practice of medicine; they had bounded off in the extraordinary flight of the captive. After a mile or two of pursuit, the Doctor became weary, and turned in for the night at the residence of John Welch.

Next day Rose Ann made her appearance at court with

the required bond, duly signed by herself, with Thomas McGregor (her husband) and Amos Strickland as sureties.

Thus ended this troublesome case. One of the actors in the play (which we may properly style a farce), in relating the incidents of the capture, says that he felt quite conscientious in the performance of his duty, believing, as the great apostle did when persecuting the church, that he was doing God's service. But the persecuted pair did not remain long in the neighborhood. It was supposed by some that McGregor's interest in his ebony spouse was of a pecuniary character, and that his intention was to take her to Missouri for sale; yet, this was not apparent, in his attempt to settle with her in a free state.

CHAPTER X.

COUNTY REVENUE — WARRANTS — STATIONERY — FIRST COUNTY SEAL — BUYING THE COUNTY SEAT — BUILDING COURT HOUSES — THE FIRST COURT HOUSE — PRECINCTING THE COUNTY — ROAD DISTRICTS — FIRST JURIES — FIRST DISTRICT COURT — BOARDING HOUSES — SLEEPING IN THE COURT ROOM — A SKETCH OF JUDGE WILLIAMS.*

Isaac B. Powers, county surveyor, platted the town of Knoxville shortly after it was located.† George Gillaspv was appointed auctioneer to sell lots, and the first sale came off on the 21st of October, 1845, and the second in April, 1846. In those days, as has been heretofore stated, money was far from being plentiful; besides, the prospect of speculation in town property in that wild, open country, far away from any important outlet or means of communication, was not encouraging, so that few investments were made.

The proceeds of these sales were immediately absorbed by

* Since the above was written, we have been informed of the death of Judge Williams, near Fort Scott, Kansas, aged sixty-nine years.

† It was re-surveyed in November, 1846, by Claiborn Hall, who was then county surveyor, for the purpose of correcting some inaccuracies of the former survey.

the expenses of location, survey, and sales, and also for the erection of a court house, the need of which was now being keenly felt, as we shall further notice in due time.*

Besides the sale of these lots there was no other source of revenue till about the close of 1846, or during the winter of 1846-7, when the first taxes were collected. Previous to the organization, the county had been assessed by authority of Mahaska,† and the legislature had authorized the officers of that county to collect the taxes of this assessment after the separation, which the citizens of Marion persistently and successfully refused to pay. There was then but little real estate taxable, and when the taxes were collected at the date mentioned above, they amounted to the small sum of *three hundred dollars!*

At about this time the finances of the county were found to be in a deplorably embarrassed condition. Debts had rapidly accumulated from the date of its organization. Three elections had been held during this time, the expenses of which were paid in warrants, till these promises to pay had so far outfigured the revenue that they dwindled away to the meagre sum of thirty-seven and one-half cents to the dollar. In these the county officers were paid, if paid at all, with the slight hope that they would eventually be redeemed at their full face. The salary of officers then being nearly the same as now, there could be little to prompt aspirants for places aside from the mere honor pertaining thereto. Indeed, to such a strait had money matters come, that the officers were compelled to purchase their needed stationery on credit, at exorbitant prices, and become personally responsible for the payment of the same. The board of commissioners found it necessary to send to Oskaloosa for one quire of foolscap, a bundle

*Owing to the want of suitable offices, the county officers kept their books and performed their official work at their dwellings and boarding-houses.

† This assessment was made in the spring of 1845, as the law then directed. Green T. Clark, who had been elected county assessor, not having any official work to do, went away on business, and did not return in time to serve in the next assessment. George Gildaspy, who had previously applied for the office was then appointed by the commissioners, and assessed the county in the spring of 1846.

of quills,— steel pens had not come into use then,— and a bottle of ink ; but, before they could obtain them, these officers were compelled to become personally responsible for the debt, which could not have been seriously burdensome, even at a period of financial depression. Many of these warrants were sold to shavers to pay these debts. Those who bought these warrants made a profitable investment of their money, paying thirty-seven and a half to forty cents per dollar, receiving six per centum on their full face, till the county redeemed them at par.

An official seal was also needed by the board of commissioners, and, there being no means of obtaining one specially made for the purpose, they legalized one out of the eagle side of a twenty-five cent United States silver coin. With a stick and mallet an impression could be made of the bird of liberty, which mark served as a token of the official authority of that court. The first seal of the probate court was the eagle side of a five cent coin.

The land on which the county seat was located was occupied as a claim by L. C. Conrey. There were no improvements on it, except the cabin that was required to hold it ; but so soon as the location was made, Mr. C. surrendered his title gratuitously for the benefit of the county ; but it necessarily yet remained the property of the government. It was supposed that enough funds could be spared from the revenue arising from the sale of lots to enter it as soon as it should be subject to entry ; but such was the all-prevailing poverty of both town and county that two hundred dollars could not be raised for that purpose. At the January session in 1847, the commissioners appointed Thomas Pollock an agent to borrow the money ; but, owing either to its scarcity, or the want of confidence in the financial stability of the the county, he failed to obtain it. In this emergency a Rev. Mr. Gibson came to the rescue with a land warrant, which he offered to apply on time ; but, owing to some obstruction, of the nature of which the author is not informed, the warrant could not be used. At length, however, Dr. Weir, a resident of Fair-

field, where the land was subject to entry, entered it on time, and thus ended the strife, securing to Marion county, in due time, a clear title to her shire town.

By the organizing act, Marion county was added to the second judicial district, and the first term of the district court for the county was fixed for March, the following year. But the county was yet without any kind of a court house, except the cabin in which the commissioners met, described in another place. So at their session in January, 1846, that body inaugurated a movement toward the erection of a temple of justice. To this end they authorized their clerk to receive proposals for a building twenty-four by thirty feet square, two stories high, to be completed on or before the 20th of May following. The lowest bidder was Lewis M. Pearce, who proposed to do the job for four hundred and fifty dollars. His bid was accepted on the 29th of the month, and he immediately commenced the work. The heavy frame timbers had to be culled from the forest, and the lumber to be sawed, and all the materials conveyed, much of them from a distance of several miles, to the building-ground. All this labor occupied much more time and money than was stipulated in the contract, and the building was not completed till some time in autumn, and at a cost to the county of a little more than six hundred dollars.*

This comparatively temporary structure remained in use as a court house till 1858, when it was relieved from public service by the new one. Since that time it has been variously occupied; part of the time the upper story being used as a printing office, from which the "Democratic Standard" was issued, and part of the time as a private dwelling. In June, 1864, it was sold at auction by order of the board of supervi-

*Mr. Pearce's contract was only for the wood-work, and the cost of the building in excess of his bid was for plastering and finishing, which was not completed till some time in 1848. This correction was made upon information received since the above was written.

The lumber for this court house was sawed by Andrew Foster, at his mill near the mouth of English creek, nine miles from Knoxville. Mr. Pearce took the framing timber from his claim on Walnut creek, east of Athica, and about eight miles from Knoxville.

sors, and was purchased by A. B. Miller for nine hundred and twenty-eight dollars, and is still his property. It still stands where it was first erected, opposite the north-west corner of the square, and part of the lower story is at present occupied by B. F. Williams as a marble factory, and another part by Rufus Eldredge, produce dealer. The upper story is occupied by a family.

The new court house was built by Steven Woodruff, at a cost to the county of nineteen thousand dollars. It is a substantial two-story brick building, seventy by forty-eight feet, with an entry door at each end, and a hall about ten feet wide extending between each. This hall is flanked on either side by a tier of rooms appropriated to the various county offices. Two broad stairways, and a narrow one from the clerk's office, lead to the upper story or court room, a large apartment, well lighted, and furnished with seats enough to accommodate four hundred persons. This house stands in the center of a well enclosed square, and is surrounded by a fine growth of young cottonwoods.

On the 13th of March, 1846, the first district court convened. Joseph Williams, district judge, made his appearance at the time specified for holding court, but, as we have said, there was no place worthy the name of court house in which to hold it. The commissioners, however, had made such temporary preparations for the occasion as circumstances permitted. There was a hewed log house in the neighborhood, about sixteen by eighteen feet square, owned by Dr. Conrey, that offered the best if not the only prospect for a court room. This the commissioners purchased, and employed George W. Harrison to move to the west side of the square, near where Reaver's grocery now stands, and fit up for the purpose. In further preparation for this important event, jurors had to be selected. To do this in the order prescribed by law, it was necessary to district the county into voting precincts, and select from each the number of jurors in proportion to its number of electors supposed or known to be mentally qualified to perform the service of jurors. On the second day of March these

precincts were described and named as follows. For the sake of convenience we abbreviate from the original record, and also place the name before the description :—

“*Lake Precinct.* Town 77, and all of 75 and 76, range 18, north of the Des Moines river; election at the house of Samuel Peters. *Judges*—Samuel Peters, Asa Koons, and Jacob C. Brown.”

This, it will be observed, included what is now Lake Prairie township.

“*Red Rock.* Town 77, and all of 76, range 19, north of the river, and all of 77, range 20, east of the old Indian boundary line, and north of the river; election at Robert D. Russell’s. *Judges*—James Chestnut, Claiborn Hall, and Reuben Matthews.”

This included all of the present township of Summit, part of Polk, and about one tier of sections off the east side of Red Rock.

“*Gopher Prairie.* All west of the old Indian boundary line and north of the river; election at Asa Hughes’s. *Judges*—Alfred Vertrice, Asa Hughes, and Joshua Lindsey.”

This included the remainder of Red Rock township, and all of Perry.

“*Pleasant Grove.* All of Marion county, and the attached portion thereof south of the river and north and west of White Breast creek; election at Wm. Glenn’s. *Judges*—Wm. M. Young, John P. Glenn, and Wm. Glenn.”

This included the present townships of Union, Swan, and Pleasant Grove, parts of Polk, Knoxville, and Franklin, the north-west corner of Dallas, and all of Warren county lying between the above named streams.

“*Knoxville.* Town 75, range 19, and all of 76, range 19, south of the river, and east and south of White Breast creek, and all of 75 and 76, range 20, east of the old Indian boundary line; election at the place of holding district court. *Judges*—Lawson G. Terry, Landon Burch, and Moses Long.”

This included the larger portion of Knoxville township and the south-east corner of Polk.

"*English.* All of the county and attached portions thereof west of the old Indian boundary line, and south and east of White Breast creek; election at Wm. Tibbet's. *Judges*—Wm. Tibbet, Elisha B. Ryan, and Samuel Nicholson."

This included what is now the south-west and some of the west part of Knoxville township, the larger portions of Washington and Dallas, and part of Warren county.

"*Round Grove.* Town 74, range 19, and all of 74, range 20, east of the old Indian boundary line; election at Alexander May's. *Judges*—Alexander May, John T. Pierce, and Jeremiah Gullion."

This embraced all of what is now Indiana township, and about one and a half tiers of sections off the east side of Washington.

"*Cedar.* Town 74, range 18, and all of 75, range, 18 south of the river; election at Jasper Koons's. *Judges*—Joseph Clark, David T. Durham, and Francis A. Barker."

This embraced all of Liberty township, and all of Clay except what belongs to town 76, range 18.*

These precincts continued in use until the population rendered smaller divisions necessary, when township organizations were substituted from time to time, with numerous changes, till they finally assumed the geographical phase shown by the large and beautiful map of the county, gotten up by Messrs. Shirwood and Pyle, in 1855. These township organizations will be detailed at some length, in the order of date, in another part of this book.

During the following month (April 14) the county was also divided into road districts, and a supervisor appointed for each. Several of the precincts described above were each constituted a road district, numbered as follows:—

No. 1. Town 77, range 18, and all of 76, range 18, north of

*It is apparent that this point was entirely overlooked by the commissioners and not assigned to any precinct. It is the north-west corner of Clay.

We have been particular in these descriptions to enable the reader, by the help of the map, to find the localities of these precincts and get an idea of the civil geography of the county at that date. We hope the details will not be deemed too tedious to be interesting.

a line running west of the south-east corner of section 12. *Supervisor*, Samuel Peter.

No. 2. All of town 76, range 18, south of a line running west from the south-east corner of section 12, and north of the river; and all of town 75, range 18, north of the river. *Supervisor*, Wm. Welch.

No. 3. Red Rock precinct; *Supervisor*, Claiborn Hall.

No. 4. Gopher Prairie precinct; *Supervisor*, Joshua Lindsey.

No. 5. Pleasant Grove precinct; *Supervisor*, Wm. M. Young.

No. 6. Knoxville precinct; *Supervisor*, Lewis M. Pierce.

No. 7. English precinct; *Supervisor*, Wm. Tibbet.

No. 8. Round Grove precinct; *Supervisor*, David Sweem.

No. 9. All of towns 75 and 76, range 18, south of the river; *Supervisor*, John Wise.

No. 10. Town 74, range 18; *Supervisor*, Hugh Glenn.

As has already been noticed, few legally established roads then existed, and comparatively little work of the kind was required to be done, which may account for the size of the districts.

The following are the names of the grand and petit jurors impaneled for the first term of the district court, March 13th, 1846. We have taken pains to ascertain, so far as possible, who of the number still live, and who are dead, with dates and places, which we append to the list:—

GRAND JURORS.

1. Stanford Doud, *foreman*, lives in ——— county; was state senator from that county in 1866 and 1867.
2. John B. Hamilton; lives in Texas.
3. Asa Koons; died at his residence in Clay, in 1847.
4. Wilson Stanley; lives near Denver.
5. Samuel Buffington; moved to Mahaska county.
6. Ed Billops; went to California in 1849.
7. Joseph S. West; lives in Summit.
8. Osee Matthews; went to Idaho in 1867.

9. James Chestnut; died on his return from California in 18—.
10. Andrew Storts; lives in Marion township.
11. John P. Glenn; dead.
12. Conrad Walters; lives in Knoxville.
13. Alexander May; lives in Indiana township.
14. Thomas Gregory; died in Clay in 1849.
15. Benajah Williams; died in Mahaska county.

PETIT JURORS.

1. Jacob C. Brown; lives in Monroe, Jasper county.
2. Nathan Bass; died on his way to California, in 1849.
3. Granville Hendrix; unknown.
4. George Gillasp; lives in Ottumwa.
5. Claiborn Hall; lives near Athens, Illinois.
6. Alfred Vertrice; went to California.
7. John Whitlatch; lives in Indiana township.
8. Wm. Buffington; lives in Mahaska county.
9. Wm. Glenn; dead.
10. Elijah Wilcot; dead.
11. Reuben S. Lowery; killed in Kansas by a falling tree.
12. David Sweem; died in Indiana township, in 1867.

This court convened at the time and place already mentioned, Judge Joseph Williams, presiding; also attended by the following named persons as attorneys: Edward H. Thomas, prosecuting attorney; John W. Alley, — Bissell, a young lawyer, who was afterwards engaged in mercantile business in Libertyville, Jefferson county, where he died in 1851, Thomas Baker, of Oskaloosa, — Calkin, — Gray, — Peters, Henry Temple, and E. G. Stanfield. The latter was prosecuting attorney at the second term, and is still a resident of Knoxville.

This term lasted but three days, during which all the cases on the very limited docket were disposed of, the history of which would hardly prove of sufficient interest to repay a perusal. From the brief records, however, we quote — “United States *vs.* Henry Hall.” This was the first case tried, being

one of an assault and battery, appealed from a justice of the peace. The case was dismissed, and the defendant discharged. The second case reads — “United States *vs.* F. M. Clipton; recognized to keep the peace, and discharged on paying costs, amounting to seventeen dollars and fourteen and three-quarters cents.” There was also tried an appeal from the Mahaska county district court, a civil case, in which “Edward H. Thomas *vs.* the board of commissioners of Mahaska county.” This was the same Thomas who attended as prosecuting attorney. Having sued for attorney’s fees, and, Mahaska county being a party, he could hardly expect justice from a jury of that court, and appealed his case to that of Marion, by whom he was awarded judgment for three hundred and twenty-five dollars.

As there were no jury rooms attached to the temporary building used as a court house, the jurors were compelled to make the best shift that circumstances allowed. The grand jury retired to the residence of Dr. Conrey, a small linn log cabin, that was also open as a boarding-house; whilst the petit jury held their consultations in the open air, at a convenient distance from the court house, each jury being attended by a bailiff.

As may be supposed, attendants at court were subjected to some inconveniences, consequent to the lack of boarding accommodations. Besides the boarding-house kept by Dr. Conrey, there was another place of entertainment at the south-east corner of the square, dignified with the name of tavern, kept by L. M. Pierce. L. W. Babbitt also owned a house in town to which, in due time, he made an addition for the accommodation of boarders. Yet, in these limited quarters, beds could not be supplied for all of even the smallest number required to compose a district court, which could not have been less than thirty persons, not counting plaintiffs and defendants, with their array of attorneys and witnesses. So many as could be fed at tables and lodged in comfortable beds were thus cared for, much to their satisfaction, though the fare was not epicurian to the last degree, nor even sumptuous. But,

for the surplus number, the only shift was to take what is termed in steamboat travel, steerage, or deck passage, by bringing their own beds and victuals with them; they made the court house floor their camping ground, where they could enjoy the rough fare quite independent of the restraints of hotel life as it then existed in Knoxville.

In those days men were not disposed to complain of the privations incident to frontier life. Experience had taught them to regard such as an unavoidable state of things, and gave them no choice but to accept of them as cheerfully as though there was nothing lacking. The evenings were passed with a cheerfulness and hilarity peculiar to frontier life, where there is, usually, comparative freedom from the conventional restraints of older and more fashionable society. Pecuniarily, and, consequently, socially, men were nearly upon an equality. Ignorance was no bar to the social circle, though there was then, as there always has been, and always will be, a material difference in the mental attainments of the accepted members of society. Only the morally debased received no encouragement to participate in the interchange of jest and merriment that constituted much of the entertainment of the company. Men could play pranks upon each other, fire volleys of sarcastic wit at each other, and jestingly make each other the subjects of ridicule, without causing an open rupture. Then they could change the programme to stories, anecdotes, and songs, and thus restore all equanimity of feeling that might have been lost in the rough but not offensive badinage that had been exchanged. If these social entertainments were made more or less lively by the enlivening influence of a spirit called by the Indians *skooti-appo* (fire-water, *alias* whisky), it must be remembered that popular sentiment had not yet voted the custom of indulging in the ardent a crime. Whisky could be easily obtained, was comparatively cheap, and was more generally used,* notwithstanding which, beastly drunkenness was not regarded with favor.

* Though the above statement may be mainly true, Judge Williams was heard to remark, much to the credit of those who attended the first district court, that it was the first court he had ever held where whisky had not preceded him.

Thus, these men could partake of a supper of cold corn-dodgers and meat with, perhaps, the addition of baked beans, or a tart made of some kind of wild fruit, and then, after a time spent in social confab, stretch themselves upon their straw cots on the ground floor of the little court room, and compose themselves to sleep with the happy contentedness unsurpassed, if even equalled, by that obtained from the sumptuous fare of a first-class hotel.

In the presence of Judge Williams at one or the other of the boarding-houses, these pastimes were, if possible, less irksome to the company. With an inexhaustible fund of wit, humor, and music, he was at no loss for means of amusement, and took much delight in affording it. As the Judge was a somewhat noted character, more particularly for eccentricity than for legal attainments — though, we believe, he had the reputation of being a good judge — we deem it proper to close this chapter with a brief sketch of him.

With regard to his history we know but little, either previous to the time at which we are writing, or since. At that time he was about fifty years of age, and had worn the ermine many years. In a territorial act fixing the terms of the district courts, approved January, 1839, we find his name as appointee over what was then called the second district, composed of the counties of Louisa, Muscatine, Cedar, Johnson, and Slaughter. He was a person of remarkably good conversational powers, and delighted in telling anecdotes. His musical talent was much above the average, both for vocal and instrumental. Often, after delivering a temperance lecture,* full of eloquence, and interspersed with humorous passages, he would sing a favorite song called "Little Billy Peal," with an effect seldom surpassed, calling up an applause of such hearty, boisterous delight as has seldom greeted a star actor. He was master of most musical instruments, but for drawing tunes out of that sweetest toned of all, "the fiddle and the

* Judge Williams lectured on temperance at Oskaloosa during the first session of court there, and was the first person that organized a temperance society in the frontier counties.

bow," he was particularly distinguished in this attainment. In addition to his vocal talent as a singer, he possessed that wierd, mysterious power of using his voice as a ventriloquist, and could imitate the cry of various kinds of animals so correctly that the uninitiated could not fail being deceived. He would sometimes imitate the squalling of a belligerent cat to the great alarm and mystification of the ladies, who could neither discover the brawlers nor learn from whence the noise came.

At this point we beg leave to introduce a couple of anecdotes bearing upon his notoriety as a musician :—

Many years ago, on the occasion of a convention at Iowa City, in the interest of a proposed railroad from Muscatine to that place, Judge Williams and Le Grand Byington were in violent opposition to each other upon some points of which we are not informed, nor does it matter, so far as the interest of this sketch is concerned. After the convention, a young amateur in the art of drawing produced a caricature representing Joe Williams seated astride an enormous bull playing a clarionet. The bull was on the railroad, with tail erect and head down, pawing up the dirt, and prepared to combat the further progress of a locomotive which was close upon him, upon which was Le Grand Byington as engineer, and from the whistle of which ascended the words, "Music hath charms, but cannot soothe a locomotive."

On another occasion, being that of an election of supreme judge and United States senator by the state senate, Judge Williams was before the democratic caucus for the former, and George W. Jones (sometimes called Nancy Jones, and known as a dancing master), for the latter place. Their competitors of the same party were S. C. Hastings, formerly president of the territorial council, for the judgeship, and Judge Johnson, of Lee county, for the senate. These last named gentlemen were at Iowa City just previous to the time of election, laboring earnestly with the members of the senate to secure their choice. But at the caucus, which came off during the night preceding the day of election, it was decided to elect Williams

and Jones. When this decision became known to the disappointed aspirants, Johnson and Hastings, they were greatly disgusted at the want of discrimination on the part of the caucus. With this view of the case, they regarded their own defeat as decidedly humiliating, and, under the heat of wine, retired together to condole with each other over their misfortune. Arm in arm they walked to and fro, uttering wailing complaints of the manner in which they had been treated by the party. "Johnson," said Hastings, by way of consolation to his companion, "I am aware that your case is pretty hard; but it's not half so hard as mine. You were beaten by a dancing-master and a gentleman; but I was beaten by a d—d fiddler!"

But we hardly dare to close this chapter without relating an instance of his peculiar power as a ventriloquist. It occurred during the first term of the district court at Knoxville. Most of those attending court then boarded at Babbitt's; and it so happened that one night the little boarding-house was so full that it was barely possible for all to find sleeping room. The Judge, with lawyers Knapp, Wright, and Olney, were supplied with beds in the lower story, whilst the jurors and numerous other attendants found room to stretch themselves on the loose upper floor, using blankets, coats, and whatever else they had provided for beds. When, after much ado, they had all got settled down for a nap, they were suddenly startled by the terrific squawling of what appeared to be a couple of tom-cats in mortal combat in the room. Instantly all hands were up and in search of the supposed disturbers; but no cats could be found, and the surprised boarders returned to their beds without any very satisfactory conjectures as to the whereabouts of the nocturnal brawlers. But they had hardly composed themselves again for rest, when the loud and boisterous growling and snapping of a couple of belligerent bull-dogs, apparently in their very midst, brought them all up standing. And then followed an uproar such as language could convey but an indistinct idea of—the dogs maintaining the combat with mingled growling, barking, and

whining, and the men endeavoring, with all the noise they could make, to oust them from the room. How they came to be there was a wonder, indeed; but the evidence of their presence was too unmistakable to admit of a doubt, even in the total darkness. Presently the fight ceased, and with that the general uproar abated. Then came a solution of the mystery. The Judge and lawyers could no longer restrain their merriment at the expense of the frightened and mystified lodgers up stairs, but let it come in a gush of laughter, that quickly reminded some of the company that the Judge was a ventriloquist, and had undoubtedly just played them one of his mysterious tricks. But so far from being offended at it, they took a sensible view of its ludicrousness, and all joined heartily in the laugh.

CHAPTER XI.

LIST OF COUNTY COMMISSIONERS, PROBATE JUDGES, COUNTY JUDGES, AND COUNTY SUPERVISORS.

Before closing the political history of our county, it would be proper to give a list of some of the officers who were elected subsequently to the first whose names have already been given.

It was stated that when the term of the first board of county commissioners had expired, the terms of the succeeding members were regulated by the comparative number of votes polled for each at the election by which they were chosen. As three were required to constitute the board, it was enacted that the one who received the highest number of votes at the regular election in August, 1846, should serve three years, the next highest two, and the lowest one, so that a new member would be elected yearly. After the county was divided into commissioners' districts, as has been described, a member was elected from one or another of these districts yearly, so that no district elected a commissioner oftener than once in three years, thus keeping a quorum of two experienced members constantly in office.

At the first regular election, Hugh Glenn and Samuel Tibbett were elected to fill the places of Conrad Walters and Wm. Welch, David Durham holding over another year.

August, 1847, Thomas Pollock in place of Mr. Durham.

August, 1848, Martin Neel, in place of Hugh Glenn.

August, 1849, Miles Jordan, in place of Thomas Pollock.

August, 1850, James M. Brous, in place of Samuel Tibbet.

In 1851 the commissioner system was abolished and substituted by the office of county judge, as will be further noticed after we have given a list of probate judges; as follows:—

September, 1845 (sepecial election), Francis A. Barker.

August, 1847, Claiborn Hall.

August, 1849, Thomas Collins.

August, 1850, Warren D. Everett.

In 1851 the offices of probate judge and county commissioners were abolished by an act of the legislature, and both merged into that of county judge, and the following is a list from that to the present date:—

Joseph Brobst, elected August, 1851; re-elected in 1853.

F. M. Frush, elected August, 1855; re-elected in 1857, and held the office till January 1, 1861.

Wm. B. Young, elected October 1861; re-elected October, 1863, and held the office till January, 1866.

Joseph Brobst, elected October, 1865; re-elected October, 1867, and held the office till January, 1869, when the office was repealed* and substituted by that of circuit judge.

By an act of the legislature, the office of county supervisor was created to assume the duties previously performed by the county judge. One member elected from each township constituted a board of supervisors. The first board was elected on the second Tuesday of October, 1860, and held their first session on the first Monday of January following.

* By this act Judge Brobst was appointed *ex-officio* auditor till January 1, 1870.

John B. Hamilton was then clerk of the district court, and, by virtue of this office, was also clerk of the board of supervisors.

The first business of the board was to regulate the terms of its members, so that half the number should be limited to one year, and the other half to two years; but as there were fifteen members, the odd number was placed in the list of short terms. The clerk prepared the ballots, and the members drew as follows:—

NAMES.	TOWNSHIPS.	TERMS.
Joseph Brobst,	Knoxville,	2 years.
Wm. P. Cowman,	Perry,	1 year.
D. F. Smith,	Franklin,	1 “
H. R. Clingman,	Dallas,	1 “
Wm. Blain,	Union,	2 years.
Geo. W. Martin,	Polk,	2 “
Daniel Sherwood,	Indiana,	2 “
John F. Baldwin,	Summit,	1 year.
Edwin Baker,	Red Rock,	2 years.
Joseph Clark,	Clay,	1 year.
J. B. Davis,	Liberty,	2 years.
E. F. Grafe,	Lake Prairie,	2 “
Bromfield Long,	Washington,	1 year.
J. A. Logan,	Swan,	1 “
J. Thornburg,	Pleasant Grove,	1 “

Our limits will hardly permit a full list of all the county officers who were elected and served from 1843 to the present date; nor do we deem such a list of much historical importance in a work more especially designed to record the early history of the county. Hence, we have named the incumbents of such offices as seemed to be of leading importance in the transaction of county affairs; and what relates to them or others of noteworthy interest, later than 1848, will appear in an appendix. We, therefore, proceed with the more legitimate thread of our narrative.

CHAPTER XII.

A LEGAL MISTAKE—BRIEF SKETCH OF LYSANDER W. BABBITT—FIRST POST OFFICE AT KNOXVILLE—"LAKE PRAIRIE" P. O.—INCONVENIENCE OF MAIL FACILITIES—A HISTORICAL INCIDENT—SECTIONING THE LANDS—FIRST LAND ENTERED—DES MOINES RIVER LAND—FOWLER LANDS.

At the second term of the district court, a circumstance occurred, slightly embarrassing to the few criminal prosecutions that came before it through the findings of the grand jury, which occurred in this wise: It was the business of the commissioners to select the jurors, and, after the proper number was drawn by the sheriff, it was the duty of the clerk to certify to the list. In this instance L. W. Babbitt, who, we should have stated, was appointed clerk of the district court by the judge, at the first term, instead of designating that office in his signature to the certificate of jurors, signed himself "Ex-officio Clerk of the Board of County Commissioners." This was right so far as it went, but in consequence of not adding "Clerk of the District Court," it was decided by that court that such a signature amounted to no legal signature at all; that the jurors were not legally drawn; that they were not jurors, and that their doings were null and void. So, all the indictments made out by that jury were, to use a phrase common in legal proceedings, quashed. It is, however, due to Mr. B. to state that the error was not intentional. Owing to the fact that no attempt was made to secure new indictments, it is safe to judge that the cases were of no vital importance.

As the career of Mr. Babbitt, connected with the early history of Marion county, may appear somewhat conspicuous, and as his name may not be mentioned in any future part of this work, we here take occasion to give what little we know relative to his history.*

* We wrote to Mr. B. for information on this point, but failing to obtain an answer, we are dependent upon other sources for these meagre and, perhaps, inaccurate accounts.

He was born in the state of New York about 1810, came to Iowa at an early day, and was a citizen of Burlington in 1840, where he worked at the business of gunsmith, and also held some office. In 1842 he, with two others, went to the head waters of the Des Moines river on a trapping expedition, where they remained during the winter. On their return in the spring, as they were descending the river in a canoe, they were robbed of most of their furs by the Indians. On the first of May, 1843, they landed at what is now Coalport, where Babbitt remained long enough to take a claim, embracing the present site of the village and the bluffs below it, containing inexhaustible beds of coal.

Having secured his claim, Mr. B. repaired to Burlington for his wife, and was surprised to find her in mourning for him, and preparing to sell his property, with the view of returning to her former home. The report had reached her some time previously that he had been murdered by the Indians, and his failing to return within a reasonable time seemed to confirm this report beyond a doubt. He concluded, however, not to stop the sale of the property, but took the matter into his own hands, and soon after moved to his claim. Here he fitted up a temporary shop where he employed himself in repairing guns, sharpening plow-shears, and doing other jobs in the smith trade, till he was called to the clerkships already mentioned.

He is described as a person of small stature, active movements, prepossessing manners, quick apprehension, and retentive memory. He was, evidently, ambitious of political promotion, for which his energy and talents fitted him, and carried him, to some extent. During his official term at Knoxville he began the study of law, and so far mastered the rudiments of that profession, that he was admitted to the bar in 1847. In 1846 he was appointed the first postmaster at Knoxville, and his commission authorized him to give out a contract for carrying the mail to Oskaloosa and back once a week,*

*David Durham took this contract, extending from July 1st, 1846, to July 1st, 1850,—four years. He commenced in June, and made two trips during that month gratuitously, as the department did not commence paying till July.

but it was not till some time in June of that year that the first mail arrived, and the office was opened at Babbitt's house. He held the office till 1849, when he was succeeded by James M. Walters. In 1853 he left the county,* and is at present editor of the *Council Bluffs Bugle*, which instrument he blows vigorously in the interests of his party. Since his residence there he has, several times, represented Pottawatomie county in the state legislature.

Some time previous to the establishment of a post office at Knoxville, one had been established on Lake Prairie, and called by that name. Augustus Blair received a commission as postmaster here, but, failing to qualify, David T. Durham circulated a petition asking for the appointment of Wm. Stanley. This was after the establishment of the post route between Oskaloosa and Knoxville, passing this office. In due time Mr. S. received his commission, and retained it till he sold to the Hollanders and moved to Red Rock, in 1847, when A. B. Miller took charge of the office till it was moved to Pella, during the winter of 1847-8.

In relation to offices established in other parts of the county, see history of the townships.

Previous to the establishment of these offices, mail facilities were so inconvenient that the people of Marion county were comparatively isolated from the rest of the world. The nearest post office was at Oskaloosa, a distance of from fifteen to thirty miles, which precluded all thought of regular or frequent correspondence by mail. Only the most urgent necessity induced a settler to suffer the delay and expense of going to and returning from the post office, though the difficulty was sometimes slightly obviated by the chance of sending by persons passing and re-passing to mill, or on some other business. Otherwise, no matter how desirous the recent immigrant might be to soften the loneliness of his condition in a wilderness so remote from the friends and scenes of his nativity, to hear from them at regular intervals, even once a month, the

*He received the appointment of register of land office at Council Bluffs, under President Pierce.

distance to the post office was found to be nearly, if not quite, an insurmountable obstacle thereto. Therefore, the establishment of means of regular mail communication within the county was regarded as next in importance to that of convenient milling privileges. It was like opening a prison door temporarily closed against intercourse with the outside world; and, after being so deprived, no people had better cause to appreciate this one great blessing of a civil government.

At the convention which came off at Iowa City in 1846, on the occasion of the formation of the first state constitution, preparatory to our admission into the Union as a state, John Conrey, of Knoxville, was our chosen delegate, representing, besides Marion, the counties of Jasper, Iowa, Poweshiek, Warren, Polk, and all the territory attached to them within the bounds of the purchase. No convention had been held for the purpose of nominating candidates to be elected to this office, but they were chosen by the common consent of the leading members of the opposing parties. Rev. James L. Warren, also of Marion, was chosen by the whigs. During the canvass, I. C. Curtis, also a whig at that time, not seeming favorably disposed towards the choice of his party, announced himself as a candidate, and succeeded in obtaining a few votes, by which Warren was defeated, Conrey being elected by a majority of about ten. After this, Curtis became identified with the democratic party. We record this as a historical incident that it seems hardly proper to omit, and not intending it to be prejudicial to the reputation of Mr. Curtis, who is now a citizen of a distant state.

We now proceed to a brief record of the sectionizing and sale of the public lands in the county. We regret that our information on these subjects is comparatively limited, for we would take pleasure in giving the amount surveyed from time to time, and the amount entered the first year after the sales commenced. The county was sectionized by ranges. Range 18, and the north half of 19, was sectionized during the winter of 1846-7, and the remainder of the county at different dates. The south half of the county was assigned to the Fair-

field land district, and the north half to that of Iowa City. The first land offered for sale was that first surveyed and the first entered in this tract, and, consequently, the first in the county was section 29, town 74 (Liberty township), range 18, by Josiah Brobst, in May, 1847. The claimants were not generally prepared to enter their lands as fast as they came into market, and it was not till some time in 1848 that any considerable amount was taken up; and it was at this critical period that the greatest antagonism existed between the claimants and buyers, some accounts of which have been given. But soon after these troubles subsided, and the fertility of the soil and the beauty of the country became known to some extent, and local conveniences were established, population poured in, and the lands were rapidly taken up. But the greatest increase of population by immigration was between the years 1850 and 1855, after which little choice land remained in possession of the government. In 1860 there was none.

At the present time, some small tracts contiguous to the Des Moines river are owned by the state, being remnants of what was donated by the government to be expended in improving the navigation of that stream. A brief history of this ill-fated enterprise may not be out of place here:—

By an act of congress, dated August 8th, 1846, every alternate section of the public lands on each side of the Des Moines river, within five miles of it (except the sixteen of any township coming within the tract), was granted to the state for the purpose above stated. This grant was all made within the bounds of the new purchase, and extended west as far as Fort Des Moines, which was deemed to be at the head of navigation.

A survey of this river had been made by Samuel R. Curtis and others, and slack-water navigation by dams and locks, on the principle of those used in canals, was thought practicable to facilitate the floating of steamboats when otherwise the water would be too shallow for that purpose during the dry season; and the enterprise was not only regarded practicable,

but profitable as a means of commerce in reaching the productions of the Des Moines valley, whose fertility betokened an abundance in due time, and, also, of reaching the coal that was known to exist in the banks and in the vicinity of that stream, and the beautiful red building-stone near Red Rock.

In the winter of 1846-7 the legislature took charge of the grant, and fixed the minimum price of the lands at two dollars per acre, except what was already pre-empted, and made so much of it as was included in Marion county subject to pre-emption in the spring of 1848, which was some time previous to that fixed for public sale. But this law not meeting with general approval, or failing to effect its desired purpose, was repealed at the next session (1848-9), and the price reduced to its original standard.

In 1848 the first board of public works was elected, consisting of a president, secretary and treasurer, who had the superintendence of the proposed undertaking. The members of the board were: Hugh W. Sample, president; Charles Corkery, secretary; and Paul Bratten, treasurer. They appointed Col. Samuel R. Curtis, engineer, who made a survey of the river, and located points for the several dams. During the year following a new board was elected, consisting of Col. Wm. Patterson, president, Col. Jesse Williams, secretary, and George Gillaspay, treasurer; and they appointed Guy Wells, of Keokuk, engineer, in 1850. In 1851-2 the legislature repealed the act enabling the election of a board, and authorized the governor to appoint a commissioner and register instead. In accordance with this law, Gen. V. P. Van Antwerp was appointed commissioner, and George Gillaspay, register; but Mr. G. declined serving, and Paul C. Jeffries was appointed. In 1853-4 these officers were made elective by the people, and Josiah H. Banny was elected commissioner, and George Gillaspay, register. Two years later, Edwin Manning was elected commissioner, and Wm. Drake, register; and at the close of their term, the whole thing was turned over to the care and keeping of a New York company. But, as the enterprise was finally abandoned, after much of the grant had been squan-

dered in the pretended erection of locks and dams at various points, what remained went back to the state, and was appropriated to the building of a portion of the Des Moines Valley Railroad. Only one dam was located in Marion county, at Rousseau, where a large quantity of rock was blasted in preparation for its erection; and the excavation in the cliff, on the south side of the river, and the loose boulders thrown from it, will long remain a mark of a project wild enough in its conception, but better calculated to put money into the pockets of certain individuals.

From the first, many settlers had little confidence in the enterprise; and, as the lands appropriated were mostly timbered, and without any resident agents to look after them, the timber was, in numerous instances, freely used for fencing and building purposes, thus more directly serving the purpose that nature originally designed it for. Little, if any of these lands now remain unclaimed by individuals.

One or two instances of extensive land monopolies seem worthy of mention in this connection.

At an early day, William D. Ewing entered several thousand acres of land in the state, a portion of which was located in this county, principally on the dividing ridge between Des Moines and Skunk rivers. Some of this is now occupied by his immediate heirs.

Another was that of the Fowler heirs (some thirty-six in number). It was, for some time, a subject of litigation in court, and was finally settled in 1866 or 1867. We quote a brief history of the case from the *Iowa Voter*, of December 10, 1868:—

“About the close of the war with Mexico, one Joseph Fowler, of New Orleans, bought one hundred and seventy-five land warrants, or claims for warrants, for very small sums, from our soldiers as they were on their way home. The entries under these warrants were made by Samuel Fowler, of Missouri, in trust for Joseph Fowler, about the 29th of December, 1848; and the lands lie in Marion, Monroe, and Lucas counties. It seems that Mr. Fowler was

among the first to enter in this region, and had his choice. He selected mostly timbered land, and got it as nearly in a body as might be. The lands so entered in this county are in Washington and Indiana townships. These one hundred and seventy-five quarter-sections made a very considerable monopoly, and retarded the settlement of the country very much. After the entries were made, Joseph Fowler died; and Samuel Fowler deeded the land to his heirs, of whom there are many. We believe there has been some dispute connected with transfers of these lands, on account of an apparent or supposed dower interest of Mrs. Fowler in them. The timber lands have been robbed considerably by settlers around them, who found no opportunity for purchasing. The greater portion of the Fowler land in this county has now been sold to settlers."

Since the above account was published, we have been informed that the object of Joseph Fowler in entering this large tract was purely, or in part, benevolent. Having a large number of poor relations living in Maryland, he conceived and adopted this plan to secure them homes in the west, where they might have a chance to better their circumstances. At the time of his death he was on his way, by sea, to gather them up to transfer them to their new homes.

THE MYSTERIOUS GRAVE.

BY ELIPHALET PRICE.

There is a high, bald, mountainous promontory, situated immediately at the junction of the Volga and Turkey rivers, whose summit is crowned with a solitary grave, which, at an earlier period of time was visited annually by a venerable Indian of the Sauk nation, who, after carefully removing the

vegetation that grew upon its surface, and, depositing his presents to the dead, would quietly depart for his tribe, far away towards the waters of the Missouri.

It was in the summer of 1835, that, in one of my hunting rambles, I was decoyed to the summit of this hill by an animal which, at a distance, had the appearance of a bear, but, upon gaining the height, the game had disappeared.

As I stood gazing upon the wild, romantic scenery that stretched far away beneath my feet, reposing in solitude, and wrapt in the gorgeous mantle of verdant nature, I was started by the barking of a dog. Turning in the direction of the noise, I discovered an Indian a short distance from me, sitting in a stooping posture, removing the grass and vegetation from one of those little mounds or hillocks that usually cover the remains of the sepulchered red man. I approached near to him and stood leaning upon my rifle, contemplating the various ceremonial rites that reverence, and the superstitions of nations have prompted over the mouldering remains of the dead, as a demonstration of their love, affection, and regard for the departed friend. And I said to myself, "in this respect, Indian, you are worthy to be ranked with the more enlightened Roman, Athenian, or Egyptian." He seemed not to observe me, but busied himself in digging up with his knife the grass that grew upon the surface of the mound, throwing it aside, and beating the ground with a small paddle, seemingly, in order to give it a hard, smooth, and even surface. His long white locks, that hung promiscuously around his visage, as he bent forward in the performance of his solemn task, almost hid from my view the time-worn furrows on his withered cheek; but as they waned in the wind, I could occasionally discover a tear sparkling along the dusky channels, starting, then pouring, and starting again, as though reluctant to quit that fount which had become almost extinguished by the drouth of time. At length, being satisfied that he had performed his annual service to the dead, he arose to his feet, and, placing his hand over his eyes as a shade, he viewed the solar orb for a mo-

ment, seemingly to ascertain how far it had progressed in its diurnal revolution; then, adjusting his blanket robe about his person, he tottered away, bending under the weighty burden of time. He had gone but a few yards, when, observing that his dog was asleep, he turned back, and called loudly but mildly to him; for he, too, like his master, was old, and had lost his hearing. "Come, Shun-ga-rah, come," said he, "there is danger here; the camp-fires of our enemies are blazing away upon the graves of my people"—evidently referring to the Winnebagoes,—who had just commenced crossing the Mississippi, to poach upon the newly-acquired lands of the government. The dog aroused at the summons of his master, when I observed, "Indian, who is it that sleeps beneath this mound, that has awakened in your breast these rites of hospitality?"

He paused for a moment, his eyes intently upon the ground, apparently giving attention to my remark; then, starting from his reverie, he advanced towards me, while a smile of mingled joy and sorrow seemed to diffuse itself over the wavy furrows in his wrinkled cheek, as he proceeded to excavate the earth at the eastern extremity of the mound. In a few minutes he brought forth a scroll of aspen bark, the ends of which were enclosed with a beautifully embroidered skin of the martin, from which dangled a braid of beads, tasseled with the tusks of the panther. Removing the embroidered skin at one end, he drew forth a plain, brown, German flute, and desired me to play on it. I received the instrument, while my curiosity was excited to the highest degree, to know for what purpose he had deposited it there, and to whom it had originally belonged. While brooding over the melancholy reflections that it awakened, I placed the instrument to my mouth, and, in my humble way, blew one of the beautiful airs of Erin, then paused to listen to its echoing sound, as it leaped from crag to crag, and hushed its softer murmurs in the far-receding distance. My attention was now arrested by the Indian, who was rolling upon the ground, singing, crying, and laughing alternately, and beating the earth with his hand, and repeating the words, "Your brother, my brother."

At length, composing himself, I sat down by him upon the grass, when he related the following story :—

“Very many years,” said he, “when I was a very young man, our warriors went into the Sioux country and returned with many scalps. A great feast was ordered, and I, with many others, was dispatched to kill game for the occasion. I had been unsuccessful the first day, and was returning to my wigwam, following the windings of yonder stream, that takes its course along that forest-covered valley (pointing to what is now known as Elk creek), when I heard a splashing in the water. Creeping carefully to the bank of the stream, I was surprised at beholding a white man, sitting upon a stone washing the blood from his face and arms. I had seen but one white man before, which was more than many of my people had seen. He soon discovered me, and beckoned that I should come to him. I approached him cautiously at first, when, by signs, he gave me to understand that he had been wounded by a bear, and could not walk. He was a young man, about my age, and I carried him upon my back to our village, which was situated just yonder (pointing to the prairie now occupied by the farm of Col. Wayman). Our chiefs welcomed him, and our medicine men soon healed his wounds, while he became a great favorite with all our people. We were friends and companions—I taught him to hunt and fish—but he was melancholy and sick at heart, and would often wander away by himself, and remain all day sitting upon some elevated piece of ground, blowing upon his flute the tune you blew, or singing and crying. Often at night, when our people were hushed in sleep, he would steal away from my wigwam and clamber to the top of this hill, and break the stillness of the night with the voice of his flute. The wolves would howl from the neighboring hills, and the shrill scream of the treacherous panther would start the slumbering Indian from his bear-skin. At length, our prophet said it would bring evil upon our people, and our chiefs forbid him going again. He grew more sad and melancholy after this, and our medicine-men said that he would die. Gradually, he sick-

ened, and refused to eat. I watched by him many nights, for I had found him, and called him my brother. When he could no longer speak, he marked upon a piece of bark that, which means something in your language, and gave it to me, together with this flute. He died, and I buried him here. I have shown the bark to many white men since—they would look at it, laugh, and give it to me back again. I could not learn what it said; so, when I grew old, and the white man had bought our lands, I buried it here with his flute.”

“Where is the bark?” said I, eagerly; “let me see it.”

He drew from the scroll a small piece of birch-bark, upon which had been written, evidently with a lead pencil, though much obliterated by handling, the following words: “Erin, an exile bequeaths thee his blessing!”

I translated it into the language of the old Indian, when a smile of satisfaction beamed upon his countenance as he shook me by the hand, and he arose to depart, taking with him the scroll and its contents.

“Come, Shun-ga-rah, come,” said he, “you have seen many moons—Shun-ga-rah, you will never come again, but I will come once more.”

Many years have elapsed since then, but the old man has never returned. The rains have nearly levelled the little mound, while the trembling aspen and the wild-briar grow luxuriantly over the Mysterious Grave.

HISTORY OF LOUISA COUNTY.

BY WILLIAM L. TOOLE.

The readers of the following continued sketches, or history of Louisa county, are requested to read the former article relating thereto,* to keep up the connection, and therein find what may appear in this an omission or imperfectness in his-

* Sketches and Incidents relating to the settlement of Louisa County, page 45, Vol. VI., January, 1868.

tory; and, in this article as in the former, briefness will be adopted, repetition avoided, and recital of all scenes and incidents of early times in the county omitted that would be uninteresting to readers in other counties.

The promise in the other article to continue and complete the same, was based upon the belief that persons in other parts of the county, more competent, would freely assist in completing said sketches; but, after repeated effort to secure that aid, and repeated failures, I come to the conclusion that those persons are fearful that their aid would not be appropriate or useful in said history, and decline giving it. Therefore, to fulfill said promise, I undertake, unaided, to continue and complete said sketches or history of early times in our county, and hope all imperfectness will be overlooked.

The former sketches were mostly confined to the south-east part of the county; this will embrace the whole county in its generalities. Having Des Moines, Henry, Washington, and Muscatine for its adjoining counties, and possessing a soil unexcelled or exceeded in fertility or productiveness, none where nature has been more liberal in its gifts, and none producing a stronger claim as the granary and treasury of Iowa. Its early settlers being mostly farmers, its commercial interests were neglected; but an improvement therein is plainly showing itself, and Louisa county will soon become one of the most enterprising counties of the state.

The north-west part of Louisa county was not occupied or settled upon as soon as the south-east. Mr. Rice was among the first to bring that part into notice, succeeded by Mr. Mortimore, and he by Judge Springer, Mr. Gamble, Mr. Colton, and others. Columbus City, referred to in the other article, is in that part of the county. The south-west part of the county was earlier settled upon and occupied. Among the first there, was J. W. and E. B. Isett, George Keyes, J. Marshall, and others; these had Virginia Grove for their business point, the post office, stores, and shops. The south-east and north-east portions were referred to in former article.

With the Mississippi for its front, and the Iowa river run-

ning diagonally through it, thus giving it a good share of bottom prairie land and bottom timber land, and well supplied with timber along the small streams, and groves in the prairies, our county, at an early day, attracted the attention of stock raisers, who, with other early settlers, soon began to turn into market their horses, cattle, and hogs. It also soon became a grain-producing county, with its surplus finding a market in St. Louis; and, like its adjoining counties, soon began to show that, with its abundant supply of bottom timber and prairie, and adaptedness for stock-raising and all kinds of grain, was also well adapted to the raising of all kinds of fruits and vegetables, in quantities and quality equal to any in the state. In fact, the eagerness with which the first settlers took hold of all the more desirable locations, and of the Indian reserve on the Iowa river, referred to in former article,—a strip of land ten miles in width and about forty miles in length, embracing Keokuk and Black Hawk villages, near mouth of Iowa river; also, Wapello village, where our county seat now is, Kishkosh village, where Fredonia is, and Poweshiek village, near where is now Iowa City;—I say, the eagerness shown in taking possession of these locations two or three years before the government surveys of this district, is sufficient evidence of its adaptedness for agricultural purposes, and the wisdom of their choice or selection of location for a home in Iowa is more and more developed as time progresses, and the present prosperous and healthy condition of affairs therein, shows plainly that those pioneers were not mistaken in their opinion of the same, and have reaped the benefit thereof.

Connection of events requiring it, I must be excused for a little digression in turning to matters referring to myself. Very little of the district now composing this county was occupied in 1835. An estimable citizen, Levi Thornton, who became a member of the legislature, resided in the north-east part of it, and, on a visit to him, extended my rambling up the Mississippi to the remaining shanties of an old, abandoned Indian trading post, which, in 1836, became occupied by Mr. Vanatta and Mr. Casey, who put up two or three log cabins

there, and did a little trading with the remaining Indians and the new immigrants, which gave, as a name to the location, "Casey Landing," and, in 1837, other persons located there, and Casey Landing, beginning to attract attention, a town was laid off with the name of Bloomington, which, in a few years, was changed to Muscatine, a corruption of the Indian name Musquaqueen, the Indian name of the large island below, a large part of which is in Louisa county. It was while on this footing from Mr. Thornton's to this Indian trading shanty that I had my adventure with some ten or twelve young drunken Musquawkee Indian warriors on their ponies, who met me near there, and dismounted and surrounded me, I suppose, partly for the purpose of trying my courage, or to be amused at my fears. Their hand-shaking and crowding around me ceased to be interesting to me, and I feared would end seriously; but, fortunately for me, one of them, apparently having authority, recognized in me one who had rendered him a slight favor, and who, much to my relief, at once ordered all away from me and put in a lengthy excuse for them, that they had been indulging too freely in Illinois whiskey. The most amusing part was, that he showed evidence of having indulged quite as freely as the rest; however, they all obeyed him in his orders to approach and apologize for their rudeness, and give a friendly shake of the hand. They then re-mounted their ponies, gave a friendly bow, and then, with an Indian whoop, went on their way for the villages of Musquawkeens. These Musquawkee Indians were of the Black Hawk tribe, the remnant of which were located in western Kansas, there to become extinct as a tribe or nation.

I also extended my rambling then to mouth of Cedar river, and there, also, found the abandoned remains of log shanties, or old Indian trading place, and Kishkakosh village. An estimable citizen, Mr. George Storm, was the first to locate a claim near there, and, in 1836, the Clark family located there, and soon after started the town of Fredonia.

A peep into old dockets of justices of the peace hereabouts will show that in the days of squatterism they had an eye to

law. Among the cases is,—Shuck *versus* Denison, and Denison *versus* Shuck; Ruffner *versus* Shuck, and Shuck *versus* Ruffner; Roarer attorney for Shuck, whether plaintiff or defendant. And in the district court of early days these same parties litigated, Roarer always appearing for Shuck. And so it is shown they had a Roarer in those days, and one who proposed new rules and orders in justices' courts,—muscular force instead of slow progress, and wives, sons, or relatives for deputies, &c. They had attorneys Grimes, Thomas, Starr, and others in those days, who were not confined to one family in their practice, but for, or against, as might suit the parties to engage them. Many amusing scenes could be narrated of trials before justices in those days, showing the independence or stubbornness of litigants, but we will let it be buried with them.

In my first article I gave the names of some of our early pioneers, and names of some of the early towns of our county; in connection therewith, I will here state that the first ferry established across the Iowa river was Mitchell's ferry, now Toolsboro, and the first ferrying from there to Upper Yellow Bank, Illinois (now New Boston), was in Indian canoes; soon after in a small flat-boat, then by horse-boat, from New Boston, Illinois, then a small, steam ferry-boat, and now the steamer Lansing. The next ferries established across the Iowa were at Wapello, by Mr. Milligan and Mr. Brewer, and at Fredonia, by Mr. Clark.

While on the subject of ferries I will again digress a little, so show the troubles and trials in traveling in those early days, and refer to some trouble and trials of Judge Charles Mason and F. Gehon (Marshal). In those early days Indian trails were the thoroughfares, and, if not on foot, Indian ponies instead of iron horses for conveyance; and, instead of carpet-bags, saddle-bags were used for baggage. Early in the spring of 1837, Judge Mason and Marshal Gehon started out on their ponies from Dubuque for Burlington. A previous knowledge of the route by the Marshal was of particular worth to the journeyists in the crossing of larger and smaller streams, par-

ticularly the Wapsie; the different watering places and places of mixed waters would be reached, although sometimes behind time, for the corn bread and bacon, owing to pelting snows, unsafe crossing of streams on the ice, and slippery roads, and, of course, while waiting for the bread and bacon in the shanties of fur traders, and, being much fatigued, would have to revive their fatigued bodies before partaking of the solid food, and, if coffee was scarce, would use the common reviver. But, to their credit, their ponies were always first properly attended to before their own comforts were sought for. At last, after repeated troubles, and trials, and difficulties, in slippery places, so common in early March, they arrived at the Iowa river; it had just taken a rise of several feet, and the ice still thereon, and presented a difficulty not to be easily overcome, for Mitchell's ferry-boat could not be used; and the ice appearing too weak for crossing the ponies thereon, the only apparent course to adopt appeared to be to leave the ponies with ferryman Mitchell and perform the balance of their journey on foot, with saddle-bags on their backs instead of the ponies' backs. But, after a search by myself and one or two others for a crossing place for the ponies, one was found that, with proper care and caution, and our assistance, the ponies were led across on the ice safely, and the Judge and Marshal, after thanking us for aiding them in overcoming this apparently insurmountable difficulty, and, after being refreshed at the cabin of friend Creighton, went on their way cheerfully, and reached Burlington safely, where our account of their difficult journey ends, and their rejoicing and reinvigorating was left for them to report.

Being partly in connection, I will refer to my former article for origin of names of locations and rivers, particularly of origin of proper name of the Mississippi and Missouri rivers; viz: Masso-sepo (Big river), and Masso-reah-sepo (Big Yellow river), and Nec-a-tosh (Cedar river).

Louisa county, like other counties was first occupied by a population who considered all unclaimed public land theirs by occupancy, until public land sales, and all that was needed

was to find such a tract and occupy it, and find protection under the claim law. The territory of Iowa, at an early day, passed laws favoring such occupancy, and protecting the claimant until such public land sales, the same as if he had a right from the government, provided said claim did not exceed a half section, and the boundaries plainly shown by stakes in prairie, and tree marks in the timber, and had made the improvements thereon required by the so-called claim laws of that district. Contentions in regard to those claims and boundaries of claims were of frequent occurrence, but usually decided by the neighbors. These claim laws were strictly adhered to, and no one allowed to interfere with the claim of another, and all were united against land speculation at the public land sales, previous to which all disputes would be settled through a jury or committee chosen from among themselves, and strictly adhered to; with such an advantage, and the pre-emption law, they would go to the sales sure of securing their homes. Those claims would be regularly registered by a person selected for that purpose, and at the sale, he being well posted, would be the bidder for that district, and the owners of the claims, in a body, stand ready to oppose any opposing bid, and woe to the person who would undertake to bid against him; thus these sales would usually pass off quietly and satisfactorily. I was the register and bidder for this district.

As stated in former article, our county has no large or commercial metropolis; and, not that it would be interesting, but in connection with its early history, will here state that in its early days it had a full share of speculative or prospective cities, in the eyes of the proprietors, that are now dead or extinct towns, and embraced in boundaries of cornfields; viz: Beginning at mouth of Iowa river, it had, first, Cuba City, next, Sterling, Tecumseh, Yellow Bank, Iowa Town, Florence, Harrison, Pittsburgh, and Catteese, all on the Iowa river. Those of the now living and more promising towns are named in a former article, among which is Wapello, the county seat, and bids fair to become the emporium and commercial point of the

county; it certainly will, when our western railroad passes through it. It had its troubles, trials, and difficulties in its early days, having then three divisions claiming the ascendancy; viz: Upper, Lower, and Middle Wapello, the proprietors of each division striving for the county buildings; Mr. Rinearson, Mr. Gilliland, Mr. Isett, Mr. Minton, and Mr. Ives among the contending parties. Middle Wapello was finally successful, and the county commissioners decided upon having the court house therein. The three towns finally united into one. It had its troubles also regarding the ferry, which was first at Lower, and then at Upper, but finally, permanently established at Middle Wapello.

In providing for the organization of counties, the first legislature enacted that three commissioners should attend to all county matters and county business, one to be elected annually, after the first election of three. The first three elected for our county were Wright Williams, Wm. L. Toole, and J. W. Isett; John Gilliland was elected clerk, and Jacob Rinearson, recorder. This was in the early days of Judge Joseph Williams, and when the shade of an elm tree and river bank was the jurors' rooms, a small log cabin the court room, and a big box the clerk's and attorneys' table; and when, at Minton's tavern of one story, twenty by thirty feet, and a small kitchen adjoining, was the only public room in town, and in which would congregate judge, sheriff, clerk, jurors, belligerents, and witnesses; and in the room where Judge Williams so successfully exercised his skill in ventriloquism, by imitating the noise of prairie wolves near the house, and thus drawing the crowd from the only stove in the house, and he and those friends, in the secret, taking possession of the stove while the crowd were hunting the wolves. The Judge had some celebrity in those days in jokes of this kind, none more amusing than of the two self-admired, conceited lawyers searching their rooms for a crying infant; and of the two young ladies hunting among their surplus trail dresses for the little lap-dog thereunder barking. The Judge made it all quiet at the right time in each case.

And in connection with these early occurrences in which I took a part, by referring to records of our first legislature of territory and state, political conventions, and asking Congress for a state government, name thereof, &c., and first convention for framing constitution for Iowa, and many other conventions, my name will be found. In those days I had vigor, strength, and health, but now nearly seventy, and for a number of years entirely withdrawn from my former business, merchandising and general trading, I leave those busy matters in the hands of those at present more competent; and will be pleased if some one more competent will review, revise, and perfect these sketches.

As before stated, the first occupancy of our county was in the south-east part, and by those persons then named; then that part around the forks or junction of Iowa and Cedar rivers attracted the attention of early settlers in 1836, among whom was Mr. George Storm and family, and Mr. A. Clark and family, and two brothers. Mr. Clark settled upon the tract at said river junction, and started the town of Fredonia in 1837, permitting himself to be flattered with the idea that his town would become an emporium; but a stronger company opposed his hopes, by beginning the town of Catteese, on the point of land between the Iowa and Cedar rivers, opposite his town, and, with great display and show through large hand-bills, had a fixed day for public sale of lots in Catteese, at which the Catteese company became the prominent bidders, and afterwards made some show in putting up buildings, having a tavern started, a store, blacksmith shop, &c., &c., and inducing settlers to buy and locate and improve lots by aiding them, and in selling them goods on a long credit. The Fredonians, in the meantime, making extraordinary efforts to keep their town ahead, and the two towns struggled and strove and worked against each other, until their end was like the Killenny cats. Catteese proving a complete failure and abandoned; and Fredonia remaining unnoticed for several years, and until it was selected as the crossing place of a railroad, which revived it up again into a lively business town, with the

prospect of so continuing; the junction of said railroads near it still adding to its prospects and notice of the business public. Situated in the center of a district unsurpassed in richness of soil, and productiveness of all kinds of grain, fruits, and vegetables, and for raising stock, and a district wherein industry and thrift strongly predominate, Fredonia, with proper management of its present citizens, may become, as before said, the business center of that part of our county. Wapello became the emporium or main commercial center, and Toolsboro strove to become the business point of the south-east part thereof.

Louisa county was in the first purchase of land in Iowa from the Indians, known as the Black Hawk purchase, and so called or known until organized into Iowa territory; thus it is shown that our county can claim an important connection with the early history of the state. In those early days stone coal was discovered in two or three ravines near the mouth of Iowa river, but not in quantities sufficient to encourage a thorough search for it; but it may yet engage the attention and thorough searching of some one who may find coal in quantities sufficient to make it profitable.

As I have aimed to be brief, and avoid being tiresome, I shall omit accounts relating to our first schools, first churches, first sermons preached, names of preachers, teachers, merchants, and jurors, and may omit some matter and occurrences, and give imperfect sketches of some parts of our county, but the subject can be continued by those discovering these faults and corrected, they first giving a thorough examination to first article.

Louisa county, like some other counties of the state, has unmistakable evidences of antediluvian occupancy, through the ancient mounds and fort at Toolsboro, a particular description of which is given in my other article. These, and similar evidences are on the most eligible points, and extensive tracts of fertile lands, and where the traces of a numerous population are usually found, and of a people having a knowledge of the arts and sciences, as they have left us perfect specimens of circles, squares, octagons, and parallels, on a grand and no-

ble scale. These and other evidences strongly establishing their antediluvian origin; none more strongly than the innumerable mounds, the sepulchres of antediluvians, presenting the sublimest monuments which any people could raise over the bodies of their departed friends, and calculated to continue while the world itself shall continue, unless destroyed by the sacriligious hand of man. The most able and pious writers differ in their conclusions relative to these matters, and should any writer contend that the continent of America is the old world, instead of as it is usually called, the new world, and that it is the land of origin of the human race, and had its millions of millions of the human family before the flood, and encourage the belief that from the time the flood bore up the ark, and was carried from this continent by the winds while the deluge lasted, and all written records and traces of these countless millions nothing is left but these antediluvian works, there would be no harm in such teaching. Certainly, and seriously, there is no part of the world where there is such scope and such material for observation as ours to strengthen these teachings, and to encourage the enquiries which of the quarters of the world were first peopled by the people of our land in antediluvian times, and what was their knowledge of arts and sciences, and of their religious and political observances and institutions; these are, indeed, worthy the investigation of all teachers, all historiographers, and all searchers into antediluvian matters. This subject has had the attention of many able searchers of antiquities, and is deserving the close attention and searchings of all able and learned antiquarians.

Antediluvian evidences of various kinds are found in buried cities, in works of art, tools, and utensils, &c., buried at a great depth, evidently by alluvion of the flood, strongly showing that our continent was occupied by millions of millions previous to the great deluge. Discoveries have been made and are continuing to be made all over our continent strengthening this position, say, from the lakes of North America, through the valley of the Mississippi, and through Mexico, to the isthmus of Darien, then from the bay of Maracaibo, through

the valley of Amazon, to the Andes valley of Patagonia. By whom and when were these erected, are questions on which the learned and profound antiquarian should ponder; and, in absence of deluge-destroyed written records and history, find evidence of antediluvian history through these silent works of art of those untold ages. And who can say that the discoveries on the Nile, and of Ninevah, Babylon, and Thebes, are more ancient than those of Uxmel, Patagonia, Cholula, and valley of the Mississippi? And who can say that on this continent there have not been cities counting their millions? The immense ruins of pyramids, palaces, and temples are silent and lasting evidences and memorials of ancient greatness, of skill, of human art, although all written evidences were destroyed by the flood. And who can say that these evidences are not sufficient to denote ours the old instead of the new world?

And let those who believe that there were different races of men, reflect on those facts of the similarity of those ancient works all over the world, and let them learn wisdom from the searchings and conclusions of able and learned antiquarians relative to these antediluvian matters, and let the antiquarian, the geologist, the historian, the learned divine, continue their ponderings thereon.

I would like to have the readers of this read my first article, particularly that part relating to the fort and mounds at Toolsboro.

In conclusion, I will say, our county, in addition to the two railroads now passing through it, and in hailing distance to the one now to New Boston, Illinois, has the prospect of one from mouth of Iowa river, or Toolsboro, westwardly through Wapello, Crawfordsville, Brighton, Richland, and Oskaloosa to Council Bluffs, or Wapello, Washington, Sigourney, and Oskaloosa to Council Bluffs. Either route would be of easy and light grades, and easily constructed, and the citizens along the route will, no doubt, take hold and complete it to Council Bluffs. For, at the present time, any people away from a railroad and its conveniences and advantages are subjected to

a great loss; and all efforts to build up towns away from railroads are perfectly futile. But the opposite of this is shown along the line of all railroads, in the increased price of farms, and in the rapid increase in growth of towns, and prices of property. This is but a natural and unavoidable result; for the necessary and acquired business of the road itself produces life and stir at all their stations, attracting and drawing there, and making therein the center of all mechanical, mercantile, manufacturing, and grain and stock dealing operations of that vicinity. Therefore, the people being watchful of their interest, will take immediate steps for the making of said railroad, even if it should require half their real estate to do it; for, one-half with the road, will be worth more than all without, and the attention of capitalists seek opportunities for investment and business, through this new channel and convenience for freighting by railroad and river, and Louisa county go on to prosper, and be prospering.

(To be continued.)

SQUATTERS AND SPECULATORS AT THE FIRST LAND SALES.

BY HAWKINS TAYLOR.

Previous to the survey of lands in Iowa, even to the survey of the base and township lines, what was known as the Black Hawk purchase (as described in a former number of your paper), was mainly taken up and settled upon by what was then designated as "squatters." There were then no homestead laws, as now, not *even pre-emption laws*. The settlers had to be a law unto themselves, to protect their own homes and firesides. To do this previous to the lands being offered for sale, the settlers in each township met and adopted their own by-laws, by which each settler was allowed to hold three hun-

dred and twenty acres of land, by settling on the same, or making certain improvements thereon; they also appointed a committee of five or seven, to settle all disputes, which were numerous, mainly growing out of the fact that nearly all of the claims were made before the lands were surveyed, and seldom agreeing with the claim lines. Often the house of one settler and the farm of another would be on the same one hundred and sixty acres, by the government survey. This township committee prepared a township map, and registered each settler's claim as he claimed to have located it, and so on until all the settlers in the township filed their claims, when the committee would cite before them all parties contestants, and have each party bring his witnesses and give all the facts in his case. Each party and all the witnesses told their own story, on the honor of settlers; none were sworn; there was no need of swearing men at that day to get the truth. The committee would then decide the case, and correct the register accordingly, and from *that decision there was no appeal*, and I never knew of injustice being done in a single case. After this registration was made, a bidder was appointed for each township, who bid off at the land sale each tract of land to the party to whom it was registered, and, in cases where more than one man's claim was embraced in the same tract, the person to whom it was bid off would deed to the proper claimant the amount belonging to him, he paying his proper share of the purchase-money. In this way, every man was fully protected in his rights. The law never did and never can protect the people in all their rights, so fully, and so completely, as the early settlers of Iowa protected themselves by these organizations, doing justice to all, as well as paying the government fully for the lands occupied by them.

The land officers at Burlington, General Van Antwerp and General Dodge, most heartily entered into the spirit and interests of the settlers at the land sales in securing them their lands, for which these early settlers honored Gen. Dodge, politically, as few men were ever trusted by any people. Gen.

Van Antwerp, fortunately, or unfortunately for himself, as a politician, never went to the people for office; he was of the old Knickerbocker chivalry — was educated at West Point, and always wore a boiled shirt and starched collar — full of grit, but always true, but never of the masses. God bless, as He will surely do, the “old settlers,” generally and collectively, of that day.

Strange as it may seem to people at this day of free lands to all who will go and settle upon them, at that day, the settlers on public lands were held as squatters, without any rights to be respected by the government or land speculators. Many amusing incidents happened at these sales; one I will relate: There were thousands of settlers at the sale at Burlington, in the fall of 1838; the officers could sell but one or two townships each day, and when the land in any one township was offered, the settlers of that township constituted the army on duty for that day, and surrounded the office for their own protection, with all the other settlers as a reserve force, if needed. The hotels were full of speculators of all kinds, from the money loaner, who would accommodate the settler at fifty per cent, that is, he would enter the settler's land, in his own name, and file a bond for a deed at the end of two years, by the settler paying him double the amount the land cost. At these rates, Dr. Barrett, of Springfield, Illinois, and Louis Benedict, of Albany, New York, loaned out one hundred thousand dollars each, and Lyne Sterling, and others, at least, an equal amount, at the same, or higher rates of interest. The men who come to Iowa now cannot realize what the early settlers had to encounter. The hotels were full of this and a worse class of money sharks. There was a numerous class who wanted to rob the settlers of their lands and improvements entirely, holding that the settler was a squatter and trespasser, and should be driven from his lands. You would hear much of this sort of talk about the hotels, but none about the settlers' camps. Amongst the loudest talkers of this kind was an F. F. V. a class that has now about “give out.” This valiant gentleman was going to invest his money as he pleased,

without reference to settlers' claims. When the township of West Point was sold it was a wet, rainy day; I was bidder, and the officers let me go inside of the office. Just when I went into the office, Squire John Judy, who lived on section thirty-two or thirty-three, whispered to me that he had been disappointed in getting his money, at the last moment, and asking me to pass over his tract and not bid it off. I did so, but this Virginian bid it off. I was inside, and could not communicate to any one until the sale was through, and, as I did not bid on the tract, the outsiders supposed that it was not claimed by a settler, and the moment the bid was made, the bidder left for his hotel. As soon as I could get out, which was in a few minutes, and make known that Judy's land had been bid off by a speculator, within five minutes time, not less than fifteen hundred of as desperate and determined a set of men as ever wanted homes, started for the bold bidder. Prominent in the lead was John G. Kennedy, of Fort Madison, who enjoyed such sport. Col. Patterson, now of Keokuk, a Virginian by birth, but a noble, true-hearted friend of the settler, and who had been intimate with the Virginian, made a run across lots, and reached the hotel before Kennedy and his army. The Colonel informed the bidder of the condition of affairs, and advised him at once to abandon his bid, which he did, or, rather, he authorized the Colonel to do it for him. The Colonel went out and announced to the crowd that the bid was withdrawn, and that the bidder had also withdrawn himself. Both offers were accepted, but the latter was bitterly objected to, and only acquiesced in when it was found that the party had escaped the back way, and could not be found; there was no other remedy. This was the last outside bid given during that sale, and you heard no more talk about outside bidding, about the hotels. The squatters' rights were respected at that sale.

The secretary of the territory, with Chambers, was O. H. W. Stull, of Cumberland, Maryland, in place of Virginia; he was Chambers's brother-in-law, eccentric, but high-toned and honorable. At the end of his term he returned to his old

home and served as justice of the peace, with credit to himself, up to his death, but a few years since. Many amusing anecdotes could be told of him, of a piece with the one named by Negus.

The first whig territorial convention held was in May or June, 1840, in Muscatine; it was a mass convention to nominate a candidate for Congress. There was a large delegation from Lee and Des Moines counties. The candidates for nomination were Alfred Ritch and Philip Viele, both lawyers, and citizens of Fort Madison, and both men of ability. Ritch was one of the brightest young men in the territory, but fell an early victim to consumption. Judge Viele still lives at his old home, in Fort Madison, rich and honorable. The contest was exciting, and almost bitter. Ritch was the pet of the young America of his party, while the Judge was rather the representative of whig respectability. One delegation from the south numbered about sixty, and camped the first night at Wapello, Louisa county. The next morning, a few miles below Muscatine, in passing a house a red petticoat was thrown out as a slur on Gen. Harrison, the whig candidate for president; the delegates made a charge on the red flag, headed by the redoubtable "Sile Hudson," now minister abroad. The flannel was captured, and the delegation passed on. There was great enthusiasm at the convention. Ritch was nominated, but beaten by General A. C. Dodge, the democratic candidate, by a few hundred votes.

I will give one case, of hundreds and thousands that could be given, of the hardships of the early settlers: Alexander Crookshanks, a Norwegian sailor, one of the noblest works of God, an honest man in all things, settled a few miles west of West Point, in Lee county, in 1835, and, by hard work, made him a large farm. When the sale of his land was ordered by the government, he went to western New York and borrowed four hundred dollars of his brother, to enter his land. This was when Martin Van Buren's specie circular was in force, and certain designated banks were made government depositories by the government. Crookshanks, to be certain

that his money was "land office money," when he got home, paid a premium of three per cent in New York, to get the bills of a city bank that was a government deposit bank. His brother gave him thirty-four dollars to pay his expenses home. At that time there were no railroads. Alex walked to Pittsburgh and there took a boat for St. Louis; but when he got to New Albany, Indiana, the Ohio river was so low that there was no certainty of getting to St. Louis in time to get home by the day of the sale of his land, and he had no money to spare to go by stage. So he, on foot, crossed Indiana and Illinois, reaching home the Friday before the sale on Monday; and when he went to Burlington, he found that his New York money would not be taken by the land office, and he had to shave off his money that he had already paid a premium for, to get "land office money" for "land office money" and pay another premium of twelve and a half per cent, reducing his four hundred to three hundred and fifty dollars. To make up this fifty, he had to sell off a part of his scanty stock at less than one-fifth of what the same kind of stock would sell for now. I recollect the day Alex started to New York to borrow the money to enter his land with, asking him what he would do if he failed; his answer was, "I will come home and try to borrow at the sale, but if I fail, and lose my land, I will cross the Rocky mountains but what I will have and own my own land." Of such stuff were the early settlers. Why should not the state be great and noble now?

RECOLLECTIONS OF THE EARLY SETTLEMENT OF
NORTHWESTERN IOWA.

BY N. LEVERING, GREENWOOD, MO.

(Continued from page 143.)

For several years, there lived and roamed a small band of Indians in northwestern Iowa and southern Minnesota, who were robbers and outlaws from other tribes, banded together. They seceded, mostly, from the Sissitons and Yankton Sioux, and some thieving stragglers from other tribes. They were not recognized by government as a tribe until within a few years back; they, however, drew annuities from government, by attending the drawings with the Yankton Sioux, and passing themselves for Sioux. This band was originally known as the Two-Finger tribe, having taken its name from its chief, "Si-dom-i-na-do-tah" (two fingers), who had lost two fingers in battle. After Si-dom-i-na-do-tah's death, his brother, Ink-pa-do-tah (Red Top), succeeded him as chief. It was then known as Ink-pa-do-tah's band. They spent much of their time fishing and hunting about the lakes and rivers of northwestern Iowa. There were among their number several half-breeds. Their numbers have been variously estimated from fifty to one hundred and fifty.

Early in the month of March, 1857, a portion of Ink-pa-do-tah's band were hunting in the valley of the Little Sioux river, in the east of Woodbury county, when they chanced to pursue a herd of elk into the Smithland settlement, near the town of "Smithland," where (as I was informed by one of the settlers) the Indians' pursuit was intercepted by the settlers, who took from them their guns, and pursued the elk themselves. The snow was very deep, the weather cold, and the Indians hungry and weary, having been on the chase for several hours without food; now, deprived of the means of obtaining it, their savage indignation was aroused. They de-

manded provisions of the settlers, but, their stock being short, their wants were not fully supplied. Ink-po-do-tah and his people (estimated to be about fifty) remained some two or three days in the settlement. The settlers, becoming wearied with the protracted visit of their red brethren, resolved to resort to some strategy to relieve themselves of their company, as their cupboards were nearly bare, and meal-tubs empty, which may account for their pursuing the elk. Knowing that the bloody and disastrous defeat of Ash Hollow was yet fresh in the minds of all the Indians in the north-west, and that it had rendered the name of Gen. Harney a terror to every savage heart, they resolved to personate Gen. Harney. One of the settlers donned an old uniform of an army officer, and was soon seen on the opposite side of the Little Sioux river from where the Indians were camped, when he was pointed out by some of the settlers to the Indians as Gen. Harney, and they were told that he was in pursuit of them, whereupon they packed up their tents, and started up the river, with their savage natures aroused and burning with revenge which they yearned to gratify. They were not long in reaching a small settlement in Cherokee county, a distance of about twenty miles. Here they entered the houses of the settlers under the guise of friendship, and, after discovering the whereabouts of their fire-arms and ammunition, they at once seized them and turned them upon their owners, who, until now, had not divined their treachery, and who now found themselves entirely at the mercy of their unwelcome visitors, who were panting for their blood. They first helped themselves to such provisions as they could find, then amused themselves by shooting into the different articles of furniture, ripping open feather-beds and scattering their contents to the winds, and making general havoc among household furniture generally. In one house they found a lady washing; she had a stove boiler filled with water; quite a number of them found much amusement in discharging their guns at it, and would laugh heartily to see the water gush out of the bullet-holes. After they had amused themselves in this way a short

time, they then turned upon the stock, shooting down cattle, hogs, &c., cutting out the choicest portions, and leaving the balance; in the meantime, they kept close watch of the settlers so that none could escape. Their hellish passions were now aroused to deeds of a more diabolical character—they ravished the women in the most brutal manner; the half-breeds among them seemed to be the principal actors in these fiendish outrages; they, however, killed no one. After remaining here two or three days, they next proceeded to a settlement in Clay county, that being the next, or nearest, on their route. Arriving there, they scattered out in small squads to the different houses, made demonstrations of friendship as they entered the houses of the settlers, but were not long in developing their treachery. Here similar destruction of property followed as at Cherokee, and, if possible, the abuse of the women was worse. In some instances, they would make the husband and father stand, with the muzzle of a gun pointed at his bosom, and see his wife or daughter ravished by these fiends incarnate. After remaining here some two or three days, and laying waste the property of settlers, but sparing their lives, they left for Spirit Lake, and the Oak-a-bojie lakes in Dickinson county. These lakes, for years, had been the favorite resort for these Indians and nearly all the northwestern tribes. They are romantically situated, and their scenery is of the most enchanting character. Spirit Lake is about twenty miles in circumference, its waters remarkably clear and sparkling—so clear that the eye can penetrate its crystal bosom several feet. In the middle of this lake no bottom has ever been found. It abounds in every variety of fish found in, or common to, the north-western lakes and rivers, together with other aquatic game of every kind that is known to the country. This lake is about eight feet higher than that of East Oak-a-bojie, which is not over six or seven rods distant to the south of it. An enterprising yankee, in 1860, if I mistake not, cut a channel from one of these lakes to the other, and erected a grist mill on the bank of the Oak-a-bojie, thus securing a most valuable mill seat, and forming

the only outlet to Spirit Lake. The waters of this beautiful lake are, at times, much agitated and thrown into great commotion, its waves surging and dashing their white foam upon its beautiful pebbled shores, while at the same time the waters of the Oakabojie are perfectly calm and tranquil. It is related that, at times, deep consecutive roarings are heard in the midst of this lake, as if proceeding from the depths of its silvery bosom.

"Lo! the poor Indian, whose untutored mind
Sees God in clouds, and hears Him in the wind,"

believes this roaring to be the voice of the Great Spirit, and this lake is the home or abode of spirits; so firmly were they of this opinion, that it is said that an Indian's canoe never pressed its crystal waters, or his dripping oar ruffled its bosom; hence the name of Spirit Lake. Oakabojie is also an Indian name, meaning a place of rest; or, as an old French interpreter defined it to me, "when I get there I feel rested; I don't feel tired." East Oakabojie is about two and one-half miles long, and will not exceed three quarters of a mile in width at the widest point. The beautiful groves of timber that partly encircle this lake add much to its beauty and romantic character. Its waters are not so clear and pure as those of Spirit Lake, showing, conclusively, that there is no connection between the two. It, too, is filled with a large variety of excellent fish, and its bosom is constantly dotted over with countless numbers of aquatic fowls, which keep up a continuous squawking serenade, and inspire the beholder with a feeling of romance and pleasure. At the south-west extremity of this lake is located West Oakabojie Lake, united to the former by a small channel of water. At this point a peninsula extends from the south to within two or three rods of the opposite shore, forming an excellent wagon road, and across the channel is a good bridge, completing the road to the opposite shore. West Oakabojie is about the same size of its sister lake, but its waters more clear and pure, showing that there is no connection between the two, other than the channel before spoken of. The shores of this lake, in places,

are walled up with boulders for several feet in length, and have the appearance of having been built by the hands of some very skillful stone mason. Whilst many believe that human hands erected these walls, I cannot but think that the great Architect of the Universe, who scooped out these beautiful lakes and filled them with their limpid waters, erected these walls, in the lapse of time, by causing the waves to dash against the shores and wash out or remove the surplus gravel and stones, thus leaving the boulders one upon another as they now lie. In many places the shores are crowned with beautiful groves and charming foliage, that bend their waving heads over the brow of these rocky shores, as if to kiss the frothy waves that dash at their feet. This lake is the source of the Little Sioux river.

Well might the Indian call this, place of rest; for here he could rest his wearied limbs after a long chase, and cool his heated brow, and slake his thirst, and regale his appetite on the luxurious fish that coursed through these pearly lakes. The Indian was not the only one to appreciate and enjoy this beautiful country; these beautiful lakes and surrounding rich agricultural country, for many miles, soon attracted the attention of the hardy pioneers. In the spring and summer of 1856 a number of families, numbering in all about sixty persons, settled about these lakes, at different points, making the settlement very scattering. It was here that those savage miscreants bent their way after leaving the settlement in Clay county, with a determination to slake their thirst for blood. On arriving there, they scattered out in small bands to the cabins of the settlers, professing the same friendship as they had done on previous visits; when they had thus entered all of the houses in the settlement, they made a simultaneous attack upon the inhabitants, followed by an indiscriminate butchery and destruction of property. They spared none from the merciless tomahawk and scalping-knife except four women, who were made prisoners; they were Mrs. Marble, Mrs. Noble, Mrs. Thatcher, and Miss Gardner. Some five or six of the men were absent, thus saving their lives. Two

wounded men (Thomas and Carver, I think, were their names), and a boy twelve or fifteen years old, and a young lady were all that escaped. These four last named persons were afterwards rescued by three companies from Fort Dodge, and vicinity, under command of Maj. Williams, of that place, who, on learning of the terrible massacre, at once hastened to relieve the sufferers. These were noble-hearted men, for, in spite of the very deep snow, severe frosts, swollen streams, and warring elements, they beat their way through the snow—sometimes drifts of fifteen or twenty feet in depth—dragging after them their provisions and arms on hand-sleds, the deep snow and swollen streams rendering their horses and cattle of but little utility; the frozen earth was their bed at night, without a tent to cover their heads from the severe frosts or pelting storms. On arriving there they buried the dead, which were about forty-two. On their approach the enemy fled; they pursued them to the state line, when they retraced their steps for home. On their march homeward they were overtaken by a severe snow-storm, in which two of these brave men perished—Captain Johnson, and William Buckholder—whose bodies were afterwards found and decently interred; many others were severely frosted. The names of these noble men deserve to be written in letters of gold.

The Indians remained about the lakes for about one week after committing the horrid butchery, keeping a close watch all the while over their prisoners, whom they kept secreted in the brush; in the meantime, keeping a sharp look-out for the approach of troops.

In the fall of 1861, Mrs. Marble removed to Sioux City, and resided in the family of Wm. Granger (whose brother had fallen a victim in the massacre), when I made her acquaintance. I learned from her, through Mrs. Levering (for she would not converse with a gentleman upon the subject of her captivity), that the same Indians who murdered her husband and took her captive, were in the habit of frequently visiting her house, always manifesting warm friendship, and, on coming into the house, would leave their guns at the door, on the

outside; but, on the day of the massacre, when they entered they brought them into the house with them, which aroused her suspicions that all was not right. They ordered something to eat, which she immediately set about preparing for them; and, while thus engaged, they insisted that her husband should shoot at a mark with them, which he had frequently done. Mr. Marble was a good shot, and a good competitor for them. The mark was shot down, and Marble ran to put it up, and, thus engaged, they shot him down, killing him almost instantly; they then turned to Mrs. Marble and told her that she must go with them. After partaking of the repast which she had prepared for them, they loaded her down with such plunder as they wished to possess, and started for their camp, which was in the timber near the lake shore. The poor captive could now only gaze for a moment and for the last time, on the cold and lifeless form of him she so fondly loved, and with whom she had periled her life amid the wilds of the frontier, far from dear and loving friends, and among a savage and merciless foe. She was goaded on by these unfeeling demons, through the deep snow, and under a crushing load, to their camp, where she found the other unfortunate captives, who, like herself, with streaming eyes and a bleeding heart, had gazed for the last time on the lifeless forms of loved ones, and their rustic homes, once so happy and cheerful, now so gloomy and desolate.

On leaving Spirit Lake, the savages headed for Springfield, a small town in Minnesota, which they attacked, but were met with strong resistance, and were repulsed, the settlers fighting nobly.

From what Mrs. Marble could learn from her captors, some of the settlers about the lakes made a desperate resistance. On their leaving Springfield, they were closely pressed by a company of mounted infantry from Fort Ridgley, under Capt. Bee.

Captain Bee pursued the enemy only a few miles, overtaking some straggling squaws, and finding considerable plunder that had been left behind in order to precipitate their flight;

he was, undoubtedly, close upon them when he abandoned the pursuit. Mrs. Marble stated that quite frequently she fell prostrate to the earth from sheer exhaustion under her burdensome load, when one of the savages would place the muzzle of a loaded gun close to the side of her head and fire it off, the report of which, said she, "would nerve me up, and I soon found myself again upon my feet." So close would they fire the gun to her head that the hair was burned off the side of her head, and the skin on her neck and face filled with powder, the marks of which were visible for years after. In addition to the heavy loads they were forced to carry, each one was compelled to carry a pappoose strapped on top of their load. These tawny little specimens of human nature they were anxious to rid themselves of, if possible, and, whenever an opportunity presented itself that they were not discovered by the Indians, they would give the little copperheads such a blow with their fist, or pinch, as would cause them to yell lustily, so that the Indian parents soon came to the conclusion that "Injun pappoose no like white squaw," and they were relieved of them, in a measure.

When Mrs. Thatcher was taken prisoner, her little babe, about four weeks old, was murdered; and, not having a child to nurse, and being exposed to the deep snow and inclemency of the weather, her breast bealed, and her limbs became very much swollen, so that by the time they reached Big Sioux river she was almost totally unable to travel further. Having been goaded on for days under an intolerable load until her physical powers were completely overtaxed, weary nature now yielded, and death stood waiting for the last sands of life — not as the king of terrors, but to her, as a kind and benevolent friend, ready to relieve from distress. While she was making an effort to cross the river on a log or tree that lay across the stream, the savages, doubtless, thinking that she would no longer be of use to them, shot her through the head, her body falling into the stream, where it was left. Thus ended the sufferings of Mrs. Thatcher.

ROBERT LUCAS, THE FIRST GOVERNOR OF IOWA.

(Concluded from page 169.)

Concerning the boundary difficulty between Iowa and Missouri, Governor Lucas, on the 3d of October, 1839, wrote to the secretary of state, saying it seemed to be his misfortune to be drawn irresistibly into a controversy with the authorities of the state of Missouri, and inclosing copies of his own proclamations and the proclamation of Governor Boggs, of Missouri, together with copies of acts of the Missouri legislature touching the matter, and complaints of the county commissioners of Van Buren county, Iowa.

In those days the mails traveled in slow and uncertain coaches, and the governor, therefore, determined to dispatch to Washington a discreet and intelligent special messenger, who, besides bearing his communications with safety and celerity, would be able to explain satisfactorily the condition of affairs to the authorities at Washington. James M. Morgan, or, as he was nick-named, on account of his rather small stature and vermillion hair, "Little Red," who was afterwards editor of the *Burlington Gazette*, was selected for this responsible duty; and on the 9th of December started from Burlington for Washington, with a detailed statement of the condition of affairs in writing by the governor. But "Little Red" was only four days on his journey, when the situation having become suddenly more threatening, the governor, on the 13th of December, forwarded another communication to Washington, giving additional information, requesting instructions how to act, and inclosing the affidavit of Stephen Whitcher, Jr., a lawyer residing in Muscatine, who had just returned from a visit to the scene of difficulty, setting forth the fact that the state of Missouri had actually embodied an armed force for the invasion of Iowa.

The legislature of Iowa, perhaps intending to pour oil upon the troubled waters, passed a preamble and resolutions of so conciliatory a temper that in effect they surrendered the point

at issue to the Missouri authorities. They were entitled "Preamble and Resolutions relative to the difficulty between the territory of Iowa and the state of Missouri." The governor, whose message to the legislature vetoing them, was dated December 6th, 1839, had no further to look than to their title for a reason for withholding his signature from them; for he said that he recognized no difficulty between *Iowa* and Missouri, but that the controversy was between that state and the *United States*. The Governor of Missouri, nevertheless, seems to have taken advantage of their passage by the legislature by publishing them, and leaving the inference to be drawn that they embraced the sense of the territorial government of Iowa on the subject; whereas they had no such significance without the sanction of the governor.

However, the Missouri authorities, seeing the firm stand taken by Governor Lucas, soon after began to relax their grasp, and the result of the whole proceedings, which had kept both Iowa and Missouri in a state of turmoil for more than a year, was that Sheriff Heffleman, of Clark county, Missouri, was arrested by the sheriff of Van Buren county, Iowa; and, to avoid excitement and the possibility of an attempt at rescue by the Missouri partizans, was brought to Burlington, where he had an interview with Governor Lucas. The governor extended to him kind words and a conciliatory manner, promising, so far as he could in his executive capacity, to shield him from the consequences of his attempt, in obedience to the mad-cap acts passed by the Missouri legislature, to discharge official duties in Iowa that should have been confined to Missouri. Heffleman declined to enter into recognizances, as suggested by the Iowa authorities; but, notwithstanding this, was not imprisoned, but was nominally in the custody of the sheriff of Muscatine county, and boarded with Josiah Parvin (father of Prof. T. S. Parvin), and, as his host, like others of a later generation of the same name, was distinguished, among other commendable qualities, for hospitality and generous fare, no tears need be shed at this present writing over his captivity. The excitement resulting from his arrest gradually subsided,

till on the 3d of November, 1840, Governor Lucas had the satisfaction to formally and officially announce that it had ceased altogether, and that the cordial and fraternal feeling which should ever mark the intercourse of the citizens of the several states was fully restored between the people of Iowa and Missouri.

The arrest of Heffleman was the culmination of the controversy. Missouri, having followed bad councils, and with much pomp and bluster precipitated a state of affairs bordering on civil war, like all braggarts, was in the end most completely defeated and deeply humiliated, and the judgment and conduct of Governor Lucas was signally, though tardily, vindicated in the end, by a decision of the supreme court of the United States, rendered in December, 1848, giving to Iowa all the territory ever claimed for her by her first governor.

Governor Lucas announced in his message of November 5th, 1839, to the legislative assembly, that the territory of Iowa had advanced since its organization in improvement, wealth, and population (which latter was estimated at fifty thousand), without a parallel in history, and recommended the necessary legislation preparatory to the formation of a state government. The governor's recommendation was followed by the legislature, but the proposition to form a state government for Iowa was overruled by the people, and only consummated in 1846.

Among the latest of Governor Lucas's official acts in his capacity of executive, was a proclamation, dated the 30th of April, 1841, calling the legislature to assemble, for the first time, at Iowa City, the new capital, on the first Monday of December succeeding, in accordance with a legislative act passed at the previous session, changing the time for the meeting of the legislature, and authorizing the governor to proclaim Iowa City the capital as soon as the new state house should be in a sufficient state of completion to give shelter to the assembly, or suitable buildings for its meetings could be procured here.

The democratic administration of Van Buren having given

place to the whig government of Harrison, on the 25th of March, 1841, John Chambers was appointed territorial governor of Iowa, to succeed Governor Lucas, whose term would have at any rate come to a close by limitation on the 4th of July succeeding. The letter of Governor Lucas to Daniel Webster, then secretary of state under Tyler (who by this time had become president), is dated June 18th, 1841, and informs the administration that he had turned over his office to his successor, and also contains a pretty sharp side thrust at Chambers for the apparently discourteous manner in which he had taken possession of the executive office in Lucas's temporary absence, and without calling on, or in any way notifying him of his presence or authority. This ought, however, to have been overlooked and excused by Lucas, as it was no doubt attributable to ignorance of official etiquette on the part of Chambers; for it was long since the whigs had had a chance at office, and they had lost the knack of taking hold, like a half-weaned child that retains the old thirst, but has awkwardly forgotten the manner of gratifying it.

After retiring from the office of governor of Iowa, Governor Lucas removed to the land, adjoining Iowa City on the southeast, which he had purchased from the government when it was first brought into market, where he spent the most of his remaining days in the management of his farm, the care of his family, and the education of his children. From these grateful employments he was to some extent withdrawn for a time by the people of Johnson and Iowa counties, who elected him as one of their members of the first state constitutional convention; Hon. S. H. McCrory and Hon. Henry Felkner (the latter now a resident of Muscatine county, and the former still living in Johnson county), being his colleagues from this district. He was also a member of the first board of trustees of the state university.

From early youth, Governor Lucas had been a devoted and consistent member of the Methodist Episcopal Church, and consecrated much time to the composition of hymns and verses of a religious character, many of which are by no means destitute of true poetical merit.

In looking back upon the vista of a long and useful life, there were no material points in his eventful career to be regretted. Starting on the errand of life in the dense forests of Ohio, with the surveyor's chain and compass in his hands, these instruments seem to have suggested the high resolve, never once relaxed, to direct his private steps and official walks in straight lines, regardless of personal consequences.

He had a clear insight into the future, and predicted, on account of slavery, the civil war, which since his death has steeped the land in blood. Of a truly courageous and independent spirit, although warmly attached to the political party whose principles he had espoused in youth, he did not hesitate to sever his connection with it when he conceived its course reprehensible, as he did when he withdrew his support from the presidential nominee of his party in 1852. This trait of his character is also well demonstrated in his calm devotion to the dictates of duty during the boundary difficulties with Missouri, while the legislative assembly was petitioning the president for his removal, and the secretary of the territory was intriguing for his displacement.

His abnegation and heroism are evinced by an episode in his military services, while attached to Hull's army. In a retreat, after a disastrous engagement with the British and Indians, one Stockton, a mounted man, had his horse badly wounded in the head, which caused the animal to plunge about till he had covered his rider with blood and then thrown him off. Governor Lucas, who at the time was acting in the capacity of a brigadier general, and with a few brave militia was covering the retreat and keeping the enemy in check, seeing the horseman rise stunned and bleeding, uncertain what to do and unable to proceed, and apparently badly wounded, without hesitation instantly dismounted and helping Stockton into his own saddle, pointed the way, and told him to make his escape as fast as his horse could carry him. This delay left Governor Lucas on foot and the very last man on the retreat, exposed to the deadly fire of the pressing Indian enemy, from whose showers of rifle balls he was only miraculously protected.

Thus, at the hazard of his own life, he saved that of a fellow-soldier, though an entire stranger to him.

In person, Governor Lucas was tall, being six feet in stature, active and wiry. His complexion presented that combination of colors rarely blended — black hair, a fair skin, and blue eyes. His aquiline nose was long and thin. Though stern in camp and council, in private life he was exceedingly gentle, pleasant and kind, the companion of children and the friend of boys, though his daughters contend that he loved his girls the best, while all agree that he was the best of play-fellows. It is therefore unnecessary to add that he was an indulgent father as well as an affectionate husband. All men who knew him, even those who differed from him on questions of public polity, accord to him native ability of a high order, incorruptible honesty of purpose, and unswerving patriotism.

In habits, Governor Lucas bordered on the ascetic, abstaining from alcohol in all its forms, from hard cider to modern whiskey, and was a member of the first temperance society organized in the United States. Though not rich in humor or wit, he was an exceedingly eloquent and popular stump speaker. Leaving the field of anecdote and pleasantry to others, he dealt in sledge-hammer facts and argument, pressed in a fluent and earnest manner, which carried the crowd.

His death was not the result of disease, but from exhaustion and the weight of years. His physicians, M. J. Morsman, M. D., and Henry Murray, M. D., of Iowa City, were assiduous in their attentions to him. But only "seventy years are allotted to man," and he had already exceeded this term by nearly two years. On the 7th of February, 1853, full of years and honors, gray-haired and venerable, in the presence of all the members of his family save one, without regrets, struggles, or objections, he quietly passed earth's boundary line, more unchangeably fixed for us all than that of Missouri or Michigan, to the confines of immortality.

On the following day his body was consigned to the cemetery adjoining Iowa City on the northeast, where he awaits the resurrection, and where the place of his rest is marked by

a four-sided marble shaft, bearing on the west side, besides the keystone and other emblems of masonic mysteries, illegible except to exalted members of that benevolent order, this inscription :—

ROBERT LUCAS,

DIED

Feb. 7, 1853,

AGED

71 ys. 10 ms. and 6 ds.

HE SERVED HIS COUNTRY IN
THE WAR OF 1812,
WAS ELECTED TWICE GOVERNOR
OF OHIO,
AND WAS THE ORGANIC
GOVERNOR OF IOWA TERRITORY.

I AM THE RESURRECTION AND
THE LIFE ;
HE THAT BELIEVETH IN ME,
THOUGH HE WERE DEAD,
YET SHALL HE LIVE.

His death occurred just as the Sabbath night had worn into the morn of Monday. Charles Cartwright and Col. Trowbridge composed his body for the grave. The funeral took place the succeeding Tuesday, and was numerously attended—the religious services being conducted at the Methodist church, on the corner of Dubuque and Jefferson streets, by the pastor, the Rev. Thomas E. Corkhill, and at the grave by the masonic order, of which he was a member of high rank, under the superintendence of Hon. E. Clark and Col. S. C. Trowbridge. The procession from the church to the cemetery was one of genuine mourners, who had no need of black crape or other factitious signs of woe, to indicate their grief, as they followed the dead governor, on whose coffin lay the sword so gallantly won and worn in the second war for independence, and which he had bequeathed to whichever of his

grandsons should first bear arms in defence of his country.*

As the future qualities of organic matter, animal or vegetable, are foreshadowed in the germ, so is it with states. Who will say that many of the qualities which have made citizens of Iowa pre-eminent in camp or cabinet may not be due, remotely, to the impulse given the young territory by her first governor? He earnestly advocated the common school system, and to-day our prairies are decked with school houses, dotted with colleges, and crowned with two universities. He laid it down as an inflexible rule for his official action that no gambler or drunkard should receive an executive appointment during his term, and Iowa was among the first of the states to enact a prohibitory liquor law by the popular voice, and the worst forms of gambling are, to a great extent, banished from the State. He strongly advised an early and thorough organization of the militia, and though parage has been dispensed with, the latent martial spirit was such that scarcely a great feat of the late tremendous struggle can be recounted by the historian without recording the transcendent valor of some Iowa corps.

It only remains to be added that, as an indication of the appreciation in which his services are held, and the future interest to be taken in his memory, the Historical Society, aside from this brief and very imperfect sketch of Governor Lucas, and his portrait published in the January number of the ANNALS (copies of which are already being sought by those who hold his memory dear in other states), possesses a life-like and life-size portrait of him, painted by an Iowa artist, Mr. George E. Yewell, which adorns the library room of the society.

*In accordance with the governor's bequest, this sword, worn by Governor Lucas when in the regular army, has come into the possession of Charles S. Nealley, of Muscatine (the only son of Governor Lucas's second daughter, Abigail, deceased, who was the wife of the late Col. Charles Nealley), an orphan boy, who at the age of sixteen, in October, 1861, joined Company G of the Eleventh Iowa Infantry, at its original organization; but who, having been rejected on account of his youth, was, on his repeated importunity, mustered in as a drummer boy, and served with his regiment in this capacity till after the battle of Shiloh, when he was discharged on account of sickness. He afterwards re-enlisted in the Second Iowa Cavalry, with which he served as musician in the regimental band.

THE STATE UNIVERSITY.

As one of the objects of the ANNALS (as by standing announcement on its cover has been made known to its readers for years) is to publish such historical facts as relate to "the origin, growth, and development of the institutions of the state, with their bearing upon the various interests which have called them into existence," it may not be amiss to say a word concerning the action of the board of regents at their session, begun the 28th of June last, the first held under the law passed by the legislature last winter, "for the government of the state university."

At this meeting two very important measures were adopted by the regents — an affirmative measure abolishing the chair of history and political economy, and a negative measure, refusing to say yes or no to the medical department — a false conception of the late board of trustees, which was blighted *in embryo* by the act creating the board of regents. This act distinctly says, "the university shall include a collegiate, scientific, normal, law, and such other departments, with such courses of instruction and elective studies, as the board of regents may determine;" and, of course, failing to name a medical department, although its framers well knew such a department had a *quasi* existence under the old Board, it must be conceded to be suspended for the time being by the law, unless the courts shall decide that the negative action of the regents in refusing to perform a work of supererogation by declaring suspended or abolished a department which had already been set aside by the legislature, should be interpreted as establishing it — a theory exploded by a positive resolution of the regents refusing to make any appropriations themselves, and withdrawing all those already made by the preceding board to the medical department: or unless a special meeting of the board (who adjourned till next March) should be held previous to the re-opening of the university in September, to define the intent of their first action, and declare otherwise.

But it was not to discuss the propriety of the present attempt to establish, without authority of law, a medical department, which has met the all but unanimous protests of the medical profession of the state, the opposition of all the instructors in the university but two, the condemnation of the legislature itself, and the earnest remonstrances of four of the six regents recently elected by the legislature, and is supported only by the pretended medical professors themselves, and their parasites, together with those of the old board previously committed to the project; but rather to point out the inconsistent redundancy in the cast of the interloping medical faculty when compared with the merciless pruning of the collegiate department, in stripping it of a chair recognized as a necessity by nearly every college of standing in America and Europe, and one which was filled by a gentleman the longest of any associated with the university, and who, by securing to it by appropriation of a former legislature, the proceeds of the saline lands, had insured to the university one-fifth of its entire permanent fund.

A newspaper published at the seat of the university, says, in a semi-official tone, that the chair of history, which was lopped off the collegiate department by the board of regents, "was created by the last board rather as a temporary arrangement, and the time seeming to have arrived now when its labors could be distributed among the other professors and save the expense of a separate teacher, it was, by resolution, abolished as a separate chair of the institution." This explanation of the action of the Board is flatly contradicted by the official announcements of the university itself from its organization in 1856 to the present time—every chancellor or president, actual or acting—Amos Dean, Silas Totten, O. M. Spencer, N. R. Leonard, and even Dr. Black himself—proclaiming its importance; and in Totten's time it was placed only second in the list of professorships. So that this chair does not seem to have been established as a temporary one, but has been recognized and commended by every president of the university from the organization of that institution to the present time.

But in the composition of a faculty for the spurious medical department we find a redundant complement of chairs overflowing with professors, without any effort to prune down to save expense. For instance, here we have the chair of medical jurisprudence, while there are but two other medical schools in the whole Union containing such a professorship; and, again, we have the chair of obstetrics, and the chair of diseases of women and children, filled by two separate professors; while in such medical schools as Bellevue, New York, the medical department of the university of Pennsylvania, Philadelphia, and a dozen others that might be named, the most eminent institutions of medical learning in the country, where the professor is secured for the chair and the chair not made for the professor, we find these chairs combined. The anxious inquirer will, therefore, have to look elsewhere than to economy for the motive of the president of the university in recommending the abolishment of the important chair of history and political economy in the collegiate department, while he favors and commends the unusual and unnecessary ones referred to in the medical department.

It is but sheer justice to add that Prof. T. S. Parvin, who has been removed from his professorship in the university by the recent action of the regents, is a gentleman who has long and earnestly devoted himself to the study of history, local and general, ancient and modern, and is conceded by all to have special aptness and qualifications for the chair which has been discontinued.

MEMOIR OF COL. N. W. MILLS.

Noah Webster Mills, the fourth colonel of the second Iowa infantry, whose portrait we present as a frontispiece to this number of the ANNALS, was born in Montgomery county, Indiana, June 21st, 1834. He received his education partially

at Wabash College, defraying his own expenses while there from the proceeds of his work in a printing office. In college he was distinguished for modesty, morality, and industry. After leaving college, he was attached to an engineer corps, and afterwards was employed in Adams' Express Company as a messenger. While thus engaged, he applied his spare moments to the study of law. He was admitted to the bar in 1856, and the same year removed to Des Moines, where, renouncing the profession of law for the time, he engaged with his brother, F. M. Mills, in the book printing business, as one of the well known and successful firm of Mills & Co.

On the breaking out of the rebellion, he was among the first in Iowa to join the Union army, and entered the service as a lieutenant in Capt. M. M. Crocker's company, which was assigned to the second infantry. At the organization of the regiment, Crocker became major, and Mills took his place as captain, which position he held till the 22d day of June, 1862, when he was promoted to the majority, two days later to the lieutenant colonelcy, and finally, in the succeeding October, to the full colonelcy of the regiment. His latest promotion, however, had not time to reach him before his death. He entered upon his military career with the lowest commissioned position, and in seventeen months, by bravery and good conduct, had attained the highest regimental rank.

He had passed with his regiment unscathed through many severe conflicts, such as the siege of Fort Donelson and the battle of Shiloh, but death awaited him in the second day's battle of Corinth, October 4, 1862, where and when he received his death wound. Col. Baker, whom he succeeded in command, had been mortally wounded in the battle of the preceding day. On the second day, the enemy had massed his forces on the south side of Corinth for a last desperate charge on the Union lines, and came dashing down into the town on the double-quick. At this critical juncture Col. Mills, while rallying his regiment in a successful effort to drive back the rebels, received a musket ball in the sole of the foot, which plowed a furrow from the toes to the heel. He was taken to

the hospital in due time, and his wound not being considered even dangerous, he was warmly congratulated on the happy issue of the fight, and the conspicuous services himself had rendered in securing the victory, as well as on the promotion which certainly awaited him. But, unhappily, death is too often in the wake of the slightest injury, and lock-jaw supervening, the gallant Col. Mills, eight days after the receipt of his wound, was numbered with the slain. His body was soon afterwards brought home, and buried with distinguished honors at Des Moines.

Col. Mills somewhat exceeded the average height, and was rather portly. He had a good voice and was kind and frank in manners, which were enhanced by a blue eye, fair complexion, and light brown hair. He was a good scholar and a forcible writer, and, though young, was an influential citizen of Des Moines at the beginning of the war.

L. D. Ingersoll, author of "Iowa and the Rebellion," says of him: "A kinder heart than his never beat, nor a more generous soul ever animated man. He was a practical printer, a ripe scholar, an independent thinker, a fine writer, an excellent soldier, a man of a thousand admirable qualities and not one bad one. His modesty had prevented him from gaining the standing to which his merits entitled him; but it is the absolute truth that in his death Iowa lost one of her best, one of her most lovable, most promising citizens, and the volunteer service an officer who, had he been spared, would have added to its dignity, its fame, and its usefulness."

He left a wife and two children. The battle of Corinth bereft his wife not only of her husband, but of her father, Brig. Gen. Hackelman, of Indiana, who was killed in the first day's fight. When informed of the inevitability of death, Col. Mills sent touching messages to his parents and family, breathing nothing but resignation and heroism.

The principal facts contained in this meagre sketch have been gleaned from Ingersoll's "Iowa and the Rebellion," and Stuart's "Iowa Colonels and Regiments."

EDITORIAL NOTES.

It should have been mentioned before that the fine sketch of Gen. J. A. Williamson, published in the April number, was written by that spirited writer, L. D. Ingersoll, now one of the principal editors of the *Chicago Post*, and popularly known among all Iowa readers as "Linkensale."

The Iowa School Journal, published by Mills & Co. of Des Moines, and edited by an able corps of writers, is one of the regular monthly visitants to the sanctum of the ANNALS. It is so filled with suggestions and experiences in the field of practical education, that we cannot see how any one in Iowa, engaged in this high calling, can afford to be without it.

Miss Mary Murray, a young amateur artist of Iowa City, has just completed, for Gov. Hays, of Ohio, a copy of the portrait of Gov. Lucas, painted by George H. Yewell for the Historical Society. Miss Murray's picture is pronounced, by members of the Lucas family, to be the best likeness extant of the first governor of Iowa.

The Evergreen, a Masonic monthly, published at Dubuque, under the able editorial supervision of Dr. Guilbert, is not only an effective exponent of freemasonry, but always contains articles of value and interest to the general reader.

We send this number, as we did the last, to every newspaper on the secretary of state's list, and to such others as we know to have been started since that list was issued, and are now in receipt of a larger file of Iowa papers than was ever before deposited in the Historical Rooms. We should like to make this file entirely complete, and hereby request all publishers, who have not already done so, to put the ANNALS on their exchange list.

We have not room to publish all the fine things said by the press of the April number of the ANNALS, but the compliments are appreciated all the same.

ANNALS OF IOWA.

Vol. VIII. IOWA CITY, DEC. 1870.

No. 4.

THE EARLY HISTORY OF IOWA.

BY CHARLES HENSON.

(Continued from page 116.)

A CHAPTER OF CRIME.

THE INDIAN GIRL HAXTA.

In 1838, while the Sioux occupied the northwest part of Iowa, and the Pawnees lived on the west bank of the Missouri, on the river, about one hundred and fifty miles above Council Bluffs, there happened an incident quite revolting to civilization.

The Pawnees have been noted as a warlike and cruel people, and had long been at variance with the Sioux, and at that time were engaged in a bitter and sanguinary war.

In the month of February of this year, the Pawnees captured a Sioux girl, about fourteen years old, named Haxta. She was taken to a village where she was kept as a prisoner, and to

John Edwards being known to the Indian traders in that vicinity, they made efforts to purchase her, so that she might be restored to her parents. But these efforts proved unsuccessful. She was kept as a prisoner, and treated badly for several months.

ANNALS OF IOWA.

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BY CHARLES NEGUS.

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In the month of February of this year, the Pawnees captured a Sioux girl, about fourteen years old, named Haxta. She was taken to their village, where she was kept as a prisoner, and treated as one of their own tribe. Her situation being known to the Indian traders in that vicinity, they made efforts to purchase her liberty, that she might be restored to her parents. But these efforts proved unsuccessful. She was kept as a prisoner, and treated kindly for several months.

About the time the Indians commenced to plant their corn, the chiefs and warriors, about eighty in number, held a council, at which they determined to offer her "to the spirit of fecundity in a new corn crop, which they were about to plant." At the close of the council she was taken from her lodgings, and, accompanied by the whole council, was led from wigwam to wigwam through the whole village, at each of which she was presented with a present.

On the twenty-second of April, two days after she had been presented with these presents, she was led to the place of her sacrifice; and not until she arrived at this spot was she informed of the doom which awaited her. The place selected was between two trees, which stood about five feet apart. Three bars of wood were fastened to the trees, as a platform for her to stand upon. A fire was kindled under the bars, and supplied with dry fuel till the flames would reach the platform. Two stout warriors then raised the girl by the arms, mounted the platform, and caused her to stand directly over the flames. Two small fagots of dry wood were ignited and placed under her arm-pits; while she was thus suffering torture, the assembled population of the village stood around, at a short distance from their victim, to witness the scene.

After she had thus suffered till exhausted nature had nearly surrendered life, all the warriors, who were standing by with their bows and arrows, at a given signal, let fly their arrows, and every vital part of her body was pierced with these missiles. As soon as life was extinct, their arrows were pulled from the quivering flesh, and, while her body was still warm, her flesh was cut in small pieces from her bones, and placed in baskets.

The baskets of flesh were taken to a newly prepared corn-field; here, the principal chief first took a piece of flesh from the basket, and squeezed from it a drop of blood upon the deposited grains of corn; this example was followed by the others, till every hill had been bathed with blood, when the corn was covered with earth. And thus closed the fate of the Sioux Indian girl, Haxta.

BILL JOHNSON.

About this time (1843), there was a man in Iowa who attracted much attention, and who was known by the name of "Bill Johnson." There had been a man in Canada who was known to the public by this name. This man had taken an active part in some of their political movements, and had carried his measures to such an extent that he was charged with treason, and to elude the grasp of the civil authorities secreted himself among the islands of the St. Lawrence. Here, with a party of his associates, for some months he managed his enterprise for political reformation, and baffled all efforts of the civil authorities to arrest him; frequently making sallies upon the shipping, which went up and down the river, to obtain his supplies.

This man and his exploits were subjects of many newspaper comments, and the people of the United States, to a great extent, sympathized with him in his political undertakings; and he was commonly styled the "Canadian patriot," or, "the hero of a thousand exploits."

An individual pretending to be the Canadian patriot, came into Iowa with a young girl, whom he represented to be his daughter, and settled in Clayton county, which, at that time, was very sparsely settled, and was attached to Dubuque county, for judicial purposes. Johnson had not been in this location very long, before, for some reason, he became very obnoxious to his neighbors; and some eight or ten white persons, accompanied by a party of Indians, went, one cold night, to his house, and he represented that they took him from his bed, forced him out of doors, and tied him to a tree, and, after giving him about fifty lashes on his bare back, ordered him and his daughter Kate to pack up their things and leave the neighborhood within two hours, and never to return again, at the peril of their lives.

Johnson and his daughter, after being thus dealt with, started in the night, and travelled a distance of twenty-five miles, over a prairie country, when it was so cold that one of

the rioters was reported to have frozen to death; another froze his feet, and several others were more or less frost-bitten before they could get to their own homes. When Johnson and his daughter rehearsed in Dubuque the treatment they had received, and the old man representing himself to be the Canadian patriot, they elicited much sympathy in their behalf. The newspapers published their wrongs to the world, and the citizens of Dubuque interested themselves in bringing the offenders to justice. The rioters were arrested, and four of the number, by the names of Evans, Spencer, Parrish, and Rawley, were convicted, and one was sentenced to the penitentiary for two years, and the others fined two hundred dollars each.

After this transaction Johnson left Dubuque, and coming to the southern part of the territory with his daughter, he stopped and made a claim in Mahaska county. Johnson was a large, stout man, well built, bold and resolute in his manners, and his whole bearing of such a character as was calculated to inspire fear and dread in those who might chance to meet with his displeasure.

He had not been in Mahaska county long, before a young man by the name of Peck, who had made a claim near to Johnson's, became enamored with Miss Kate, and the young twain wished to be joined as husband and wife. The old man, being informed of their wishes, was violently opposed to it, and ordered Peck to stay away from his house. But Peck, not willing to give up the object of his love, watched an opportunity when the old man was away from home, took the girl, and came to Benjamin McClary's, a special friend of his, in Jefferson county, where they were married.

The old man coming home and finding his daughter gone, soon learned the cause of her absence, got on their trail, and followed in hot pursuit. The young couple had been married, and had just retired to bed, when the old man arrived at McClary's. He entered the house with a drawn pistol, ascended the ladder to the loft of the cabin, where his daughter and her spouse had gone to bed; made her get up and dress her-

self, ordered her to go down the ladder, put her on a horse, and rode away, while her husband stood by, a silent spectator, and dared not move a finger or say a word in her behalf.

Young Peck, though he showed no resistance at the time, did not, as it is presumed from the sequel, quietly brook the insult offered, or forget the injury received, in being thus deprived of his wife; for, a few evenings after Johnson returned with his daughter to his home in Mahaska county, some person, just after dark, approached his house, which was occupied only by himself and daughter, pointed a rifle through a hole in the cabin, and sent a leaden bullet through his heart, and the old man fell on the floor and died without speaking a word.

Peck was arrested for the murder, and lodged in the jail of Washington county, which then had judicial jurisdiction over all the territory west of it. He subsequently had his trial, and was acquitted, though there was little doubt in the mind of the public, that he was the murderer of this bold and daring man.

These transactions made Johnson so notorious a character in Iowa, that means were taken to ascertain if the history he had given of himself was correct; and it was satisfactorily found out that he was an impostor; a man of low repute; and not the distinguished Bill Johnson, the Canadian patriot. And, on an investigation of the circumstances attending his troubles in Clayton county, it was very evident that he and Miss Kate had perjured themselves on the trial of those charged with abusing them,—so much so, that the governor thought proper to pardon these convicts; and these individuals, upon being pardoned, immediately took measures to arrest Miss Kate for perjury. But the friends of Peck, at his request, interposed, and sent her off out of the territory in time to elude the officers of the law, and she thus escaped a legal investigation.

And thus ended the career of this man and his daughter in Iowa, much to the chagrin of those who were instrumental in

helping to convict those who, as they supposed, had inflicted a flagrant wrong upon Bill Johnson, the Canadian patriot, the celebrated hero of a thousand islands.

THE INDIAN TRADERS.

About this time, the Winnebago Indians, who lived in the norther part of Iowa, on the neutral grounds, were very troublesome. Some unprincipled whites were in the habit of selling them whiskey, and prompting them to commit depredations by stealing and robbing.

While under the influence of whiskey, some of the tribe murdered Messrs. Tegardner and Atwood, traders in the Indian country, and severely wounded the son of the former gentleman. These murders were committed at their trading house, which the Indians set on fire, and the house and the dead bodies were burned to ashes.

Some of the Indians supposed to have been engaged in these murders were taken prisoners, brought to Dubuque, and lodged in jail. They remained in prison a long while before they were brought to trial, and, while confined, one of them, named Wah-con-chaw-kaw (big Indian), killed one of his companions, and when interrogated why he did it, the only answer was, that "so great a liar ought not to live." The others had their trial and were all acquitted; but Wau-con-chaw-kaw was convicted, and sentenced to the penitentiary for life.

While waiting for a trial, some of the Indians escaped from the jail, and after being absent some time, very unexpectedly to everybody, came back. The reason of their return was, probably, because their comrades would not receive them as belonging to their nation till they had answered to the penalties of their crime, or been honorably acquitted, supposing, if they protected them, that their nation would be held responsible for their crimes.

COFMAN.

In the spring and summer of 1845, the west seemed to be infested with a band of desperadoes and reckless characters, and the public mind was almost daily startled by the report of horse-stealing, robbery, or some bloody crime.

A young man in Washington county, by the name of McCally, ran away with a man's wife by the name of Cofman, who, being left with several small children, and not knowing how to better his condition, made pursuit, overtook the runaways, and brought his wife back. McCally soon returned to the neighborhood, and sought interviews with Mrs. Cofman, much to the annoyance of her husband. One Sunday evening, Cofman and his wife started to pay a visit to one of their neighbors; their course led them to pass by a cornfield, and Cofman was carrying a child in his arms. McCally (as was supposed), in a collusion with Mrs. Cofman, had secreted himself in the cornfield with a loaded rifle, and as the couple were passing his place of concealment, shot Cofman dead on the spot, the ball just missing the child.

MILLER AND LIECY.

On the 25th of April, 1845, John Miller, with his son-in-law, by the name of Liecy, with their families, emigrated from Ohio, and stopped in Lee county, where they offered to pay cash for a good farm; and, from this circumstance, it was soon reported through the neighborhood that he had a large amount of money.

Miller, Liecy, and another man were the only male inmates of the house. On the night of the tenth of May, the family, as usual, retired to bed for the night. About twelve o'clock at night they were aroused from their slumbers by three men entering the house with a dark lantern, and demanding their money. The old man and his son-in-law, not being disposed to quietly give up their money, did not readily comply with their demands, but undertook to drive the robbers from their house, while the third man, being frightened, hid himself under the bedclothes.

There was a desperate struggle between the robbers and the old man and his son-in-law. Miller was stabbed in the heart, and immediately breathed his last. Liecy, being first shot with a pistol, and then receiving several deep gashes upon the head and back from a bowie-knife, fell helpless on the floor. The assassins, being disheartened at the bold resistance with which they had been received, and, probably, fearing that the disturbance which they had made might raise the neighbors, made a hasty retreat without securing their booty.

The news of this bloody tragedy spread rapidly through the settlement, and the whole neighborhood became alarmed for their own safety. Every imaginable effort was made to discover the perpetrators, but for a long while, nothing could be ascertained which threw any light upon the dark transaction.

A cup was found near the house, which was supposed to belong to one of the murderers, which he had probably dropped in his hurry to get away from the scene of carnage.

A man by the name of Edward Bonny, who resided at Montrose, and well calculated for finding out dark deeds, having heard of the cup, undertook to ascertain the owner, and by strategem, and a series of maneuvering, he found the owner of the cup, and became satisfied that two young men by the name of William and Stephen Hodges, and a Thomas Brown, who resided at Nauvoo, must be the men who had committed the murder.

Brown made his escape; but the two Hodges were arrested and taken before Liecy, who was still living, though he died soon after from his wounds, and they were identified by him as being two of the men who entered the house.

The district court of Lee county, at this time, was in session, and the Hodges were indicted and arraigned for trial, but they succeeded in delaying their sentence for a few weeks, by taking a change of venue from that county to Des Moines county. They were tried at Burlington, found guilty, and, on the fifteenth of July, publicly executed; they being the first persons who ever suffered capital punishment in the southern part of Iowa.

COL. GEORGE DAVENPORT.

On the fourth of July, 1845, on Rock Island, opposite Davenport, there was a most daring murder committed on the person of Col. George Davenport.

Col. Davenport, an Englishman by birth, was born in 1783. In his younger days he followed the sea, and as a sailor, came to New York in 1804. While his vessel lay at New York, in attempting to save a fellow-sailor from a watery grave, he broke his leg, which rendered him unfit for duty, and he was left at that city in the hospital.

Soon after recovering from this accident he entered into the United States service as a soldier, and was appointed a sergeant. In the spring of 1806, his regiment was ordered to the west, and put under the command of Gen. Wilkinson. He served as a soldier in the army of the United States for ten years. After he was discharged, he went into the employment of Col. William Morrison, of Kentucky, a government contractor, as his agent for furnishing the troops with provisions.

In the spring of 1816, he came up the Mississippi with a body of United States troops, under the command of Col. Lawrence. They came up to the mouth of Rock river, where they stopped and made an examination for a suitable place to build a fort, and selected the lower end of Rock Island as the most suitable point. The troops landed on the Island the 10th of May, 1816, and as soon as their encampment was completed, Davenport "employed the soldiers to cut logs and build a store house for the provisions." "This was the first building" ever erected on the island. The soldiers immediately went to work to build a fortification, which was called Fort Armstrong.

Soon after arriving at Rock Island, Davenport commenced trading with the Indians, and did a very extensive and profitable business.

In 1825 there was a post office established at Rock Island, the first one in this section of the country, and Davenport was

appointed postmaster. In the fall of 1826 he quit trading with the Indians in his private capacity, and became a member of the American Fur Company, and had "the management of the trade from the mouth of the Iowa river up to Turkey river."

In the Blackhawk war Davenport took an active part, and was appointed by the governor of Illinois "acting quartermaster general, with the rank of colonel."

After the close of the Blackhawk war he built on Rock Island, on the bank of the Mississippi, a fine residence, which he occupied till his death.

In 1834, Rock Island county was organized, and he was elected one of the county commissioners.

In 1835, he, with six other individuals, purchased from Antoine LeClaire seven-eighths of the "section of land opposite Rock Island," given to LeClaire by the Sacs and Foxes, in the treaty of 1832, and laid out a town which was called Davenport, as a token of respect for the first settler of this section of the country.

At the treaty of 1842, when the Sacs and Foxes sold all their lands in Iowa, Davenport was present, and rendered Gov. Chambers great service in effecting this purchase. Soon after this treaty, the Indians moving west, Davenport withdrew from the Fur Company and gave up the Indian trade, in which he had been engaged over twenty years. As an Indian trader, he had acquired wealth, and became extensively known and highly respected in the west.

On the fourth of July, there was a celebration on the Illinois side of the river, to which all the family had gone, and left the old man at home to take care of the house. It was generally supposed he kept a considerable amount of money about him, which attracted the attention of the desperadoes of the west, and a party of them laid their plans to get his money in their possession. After the family had gone the old man sat down in his parlor, and was engaged in reading a newspaper. Hearing some noise at the well, he arose to ascertain what occasioned it. As he advanced toward the door which

opened the way to the well, it was suddenly opened, and three men stood before him. Before a word was spoken, the foremost one discharged a pistol at him, and the ball passed through the left thigh. As he turned to get his cane to defend himself, the three men rushed upon him, threw him upon the floor, blindfolded him, and tied his arms and legs with hickory bark, so that he was helpless. In this condition they dragged him through the hall, and up stairs to a closet, where was kept an iron safe. The robbers, not knowing how to open it themselves, compelled him to unlock it, and appropriated to their own use all the money it contained. But not getting as much money as they expected, and thinking that there was more about the premises, they then put him on a bed and demanded of him to show them where his other money was kept. The old man pointed to a drawer in a dressing-bureau. The robbers, in their haste, opened the wrong drawer, and not finding any money, renewed their assaults upon his person, and carried them to such an extent that he fainted, and became senseless. They revived him by dashing cold water in his face, and as soon as he became sensible, they again demanded of him to tell them where his money was kept. He again pointed to the drawer; but the robbers again opened the wrong drawer, and finding no money, they renewed their assaults, and choked him till he again fainted. They again attempted to revive him, and threatened, if he did not tell them where his money was kept they would set fire to the house, and leave him in his helpless condition to perish in the flames. The robbers, discovering that their victim was unable to answer their inquiries, now took their leave, taking with them between seven and eight hundred dollars in money, a gold watch and chain, a double-barreled shot gun, and a pistol, leaving the venerable old pioneer tied, so that he could not help himself, and nearly exhausted from their abuse.

He was first discovered in this condition by a Mr. Cole, who, with two others, had been out on a fishing excursion, and returning home in a skiff, passed down the river near the

island, and when opposite to the house they heard the cry of murder. They immediately landed and went to the house. On entering the door, they found the floor besmeared with blood, and heard a cry for help, coming from up stairs. Cole immediately ascended the stairs and made his way to the room from which the cry came, and here he found the old man in a most perilous condition; he released him from the hickory bark bands, leaving him in the charge of his two companions, gave an alarm, and, as quickly as possible, procured medical aid. The physician and his friends rendered all the assistance they could to restore his strength and alleviate his sufferings, and so far succeeded in relieving him that he was enabled to give a minute account of the whole transaction; but he had received so much injury that his physical strength gave away, and he expired between nine and ten o'clock that evening.

The murdering of so prominent a man as Col. Davenport caused a great deal of feeling through the whole west, and great anxiety was felt to find out the perpetrators of this bloody deed. A reward of fifteen hundred dollars was offered by the family for the arrest of the murderers, and the whole community became interested, and were on the look-out and trying to ferret out the assassins, that they might be brought to justice. But days and weeks passed off, and not the slightest information could be obtained of those concerned in the robbery. The success of Edward Bonny in detecting the murderers of Miller and Liecy, in Lee county, and bringing the Hodges to punishment, had given him quite a distinguished character for such undertakings, and the friends of Col. Davenport applied to him for aid. Bonny undertook the task, and by representing himself as a man of dark deeds, got into the confidence of the desperadoes, and after several months' exertions in laying plans and manœuvering, ascertained that the persons who entered the house were generally known by the names of William Fox, Robert Birch, and John Long, and that another man by the name of Aaron Long, was on the outside, standing sentinel, while the others did the work

inside of the house. He also ascertained that a man by the name of John Baxter, who had been living in the family of Col. Davenport, gave the other parties the information of the money, and how to obtain it. He also learned that a man by the name of Granville Young, and several others were accessories to the robbery. These parties were arrested and lodged in prison; Baxter, repenting of his acts, informed on the others. The two Longs and Young were executed; Fox and Birch broke prison and got away; Baxter was sentenced to be hung, but his sentence was commuted to imprisonment for life; while some others were sent to the penitentiary for a shorter time.

The arrest and conviction of some of the prominent ones of the desperadoes deterred others, so that the community were somewhat relieved from such depredations.

SCENE IN THE EARLY HISTORY OF IOWA.

BY ELIPHALET PRICE.

The Conquest of Sodom.

Situated near the northern boundary of the county of Clayton, and within a mile of the village of Monona, may still be seen the ruins of the once populous and flourishing village of Sodom, whose foundation was inaugurated in the year of our Lord that witnessed the locating of the Indian agency upon the head waters of Turkey river—in 1840. Its contiguousness to the Indian lands, at that time, contributed not a little to the origin of a variety of opinions as to the future object and intent of the inhabitants. The more sagacious portion of the community, skilled in foretelling future events, declared that Sodom was designed as an extensive manufacturing town, which prophetic

declaration was always accompanied with a careless jingling of whatever coin the pocket might contain; others held reverently to the position that it was to be the grand rallying point from which the ascending followers of Miller were to start upon their aerial flight to that unlocated bourn beyond the starry firmament; while the more prudent and cautious would shake their heads knowingly, and whisper that Sodom was to be no better than it should be. Notwithstanding the variety of opinions expressed, and the gossiping scandal circulated against the little village that might have perpetuated the name of its distinguished ancestor, still its march was onward. "The clink of hammers," and the resounding of the frontier axe, seemed to announce its progressive march, as house after house loomed up with log-cabin majesty, dignifying and expanding the area of the village. Besides, it was currently rumored that a temperance society was to be started in Sodom, under the fostering care of 'Squire Wanzer, while the fact still lives within the memory of many of our oldest and most respectable citizens, that the venerable and indulgent parson located upon our northern circuit, while exhorting a drowsy congregation at "Poverty Point," of a summer's afternoon, to awaken to a knowledge of the truth, closed his ineffectual efforts with the announcement that there would be preaching at Sodom on next Sabbath evening at early candle light. Many were the controversies between the inhabitants of Sodom and Monora, as to the fact of this announcement having been made; the latter always contending, with much warmth and zeal, that the story had its origin at Sodom, and was designed to give character to the place, and thereby injure its rival, whose pride it was to boast that they had already realized the benefits of two prayer meetings and a promise of a regular sermon. Notwithstanding the records of the town clerk of Sodom are silent upon the subject, still it was generally conceded, beyond the immediate vicinity of its rival, that Sodom had some good traits of character—and what town is there that has not some bad ones? No village

in the county contributed so largely to the public coffers; its steady and increasing demand for grocery licenses almost extricated the county from its public indebtedness, when an evil hour approached, casting a gloom over the inhabitants of the little village, and threatening it with a fate as destructive as that which in distant years, and in other climes, had swept over the festive homes and gorgeous palaces of its ancient namesake.

The Indian agent upon Turkey river had dreamed that Sodom, with all its inhabitants, was occupying a portion of the Indian lands. O dreadful! monstrous dream! ungenerous offspring of the slumbering mind! No one believed that such a dream could have been matured upon the couch of repose without the aid of some evil disposed person; and although the inhabitants living in the rival town of Monona were never directly charged with whispering in the slumbering ear of Indian authority, still it was a remarkable circumstance, that whenever after, the name of Sodom was mentioned in the sermons of the good parson of Monona, the congregation would rise to their feet, close up one eye, and, after bringing the end of the thumb in contact with the extremest part of the nose, they would proceed to give utterance to a low whistle, accompanying the same with a slight agitation of the little finger attached to the uplifted hand.

The announcement of this dreadful dream to the inhabitants of Sodom, by the Indian agent, was accompanied with a demand to evacuate the town; but man naturally abandons with reluctance a lucrative business, and is at all times extremely tenacious of those castle rights secured to him by the sheltering roof of his own domicile. Accordingly, a positive refusal to comply with the demand was ordered to be entered upon the records of the town clerk. Thus matters stood until time had rolled around the month of August, which beheld Sodom still enthroned upon its high, rolling prairie, enjoying a commanding view of the surrounding country. It was early morn; not a breath of air was stirring; the golden streaks that skirted the eastern horizon announced the com-

ing of the sultry orb of day; already the smoke had begun to rise in lofty columns from the little stick chimneys that peeped modestly over the tops of the village habitations; while the hum of life had begun to manifest itself by the sounding of the woodman's axe throughout the village, preparing fuel for the morning meal. Here and there might be seen an Indian reposing in undisturbed slumber upon the green carpet of the prairie, fondly embracing in his arms the endearing likeness of the illustrious Washington, as delineated upon the glass surface of an empty flask. The pearly dew-drops that lay upon the flowers and blades of grass, touched with the early rays of the rising sun, glittered and sparkled around him, leaving the dark gem of the forest reposing in silent grandeur amid the sparkling emeralds of the prairie.

Such was the morning appearance of Sodom, when the distant notes of a bugle swept over the yet slumbering town, arousing the inhabitants into the street to gaze upon the approach of a company of dragoons from Fort Atkinson, who were descending one of the distant hills of the prairie, headed by the threatening and dreaming agent of the Winnebago Indians.

The alarm was spread throughout the village. What was to be done? Not a gun in town, with the exception of an old musket, the stock of which had been lost at the battle of the Bad Axe, while the lock had long been rusting in the smith shop of Charlie Guy, at Monona, who, it was whispered, had been prevailed upon by the inhabitants of that place not to repair the ticklish thing.

"If so be we could bring them to a halt," said 'Squire Wanzer, thrusting his hands into his breeches pockets up to his elbows, and straightening himself up with an air of official dignity, "I would speak to them as the mayor of this town, if so be they would give me a hearing."

"Is it bring thim to a halt ye's want, 'Squire? Faith, d'yer be laving that to me," said Looney Orim. Now, Mr. Orim was not only a native of the Emerald Isle, but the

owner of a yoke of cattle, a truck cart, and a whisky barrel, which enabled him to supply the inhabitants of Sodom, for purposes of ablution, the refreshing beverage that gushed from the far-famed *prairie spring*. Besides, Looney had distinguished himself upon the field of Waterloo, as an artilleryman, as well as in several other European battles, the names of which he had forgotten. The hopes of the inhabitants of Sodom were at once concentrated upon the military genius of Looney, who had already mounted the old musket alluded to, upon his truck, and, with a fire-brand in one hand, was sallying forth to meet the enemy, who advanced at a smart trot until within a few yards of the battery of Mr. Orim, who stood swinging his fire-brand in the air, and occasionally blowing it to keep it alive.

"Will ye's be stopping there a bit, if ye pl'ase," he exclaimed; "and the devil take the foremost if ever a peg farther he shows his ugly face. D'ye's mind Uncle Sam. there, b'ys," pointing to his musket barrel, "loded up to his face with powther and blue balls, bad luck to ye's all whin he spakes; an' it's the 'Squere that'll be down in a giffy an' teach ye's bether manners than to be killing dacent people in time of peace."

Now, Lieutenant Jenkins, who had the fitting command of the dragoons, was a humane as well as a sagacious officer—not that he was afraid, for well he knew that a charge from his dragoons would be attended with the spiking of Looney's gun, and consequent surrender of Sodom; but then there stood Looney, waving his fire-brand over the touch-hole, and should he apply it to the priming, he knew that the contents of the old musket would sweep down many of his men, while the humble waterman was but a poor offering to sacrifice upon the tombs of his departed sons of Mars. Accordingly, the Lieutenant, considering prudence the better part of valor, ordered a halt.

In the meantime, a deputation had arrived from the village with a long, written protest, declaring, among other things, "that Sodom was not upon the Indian land, and that

they had yet to learn that the Indian agent was lineally descended from the wife of Cæsar."

The Lieutenant was not to be thrown off his guard by this thrust of raillery, but promptly ordered the line to be run that separated the Indian lands from the public domain. This was speedily accomplished, when lo! it was discovered that only one solitary habitation of Sodom stood daringly out upon the Indian land. No sooner was it known, than the bugle sounded for the troops to mount. Looney attempted to shift his position by a flank movement, so as to protect the trespassing habitation of his friend, Taffey Jones; but the keen military eye of the Lieutenant at once detected the design of the enemy, and instantly ordered a charge. In a moment the tramping of the heavy dragoon horse resounded through the halls of Mr. Jones's castle, surrounding it, and summoning him to surrender; but Mr. Jones, like his friend Looney, had seen much military service in his day, particularly of that kind which had drawn largely upon his diplomatic genius and skill. Accordingly, when the fortunes of war seemed to warrant the conducting of an advantageous surrender, securing the door of his domicile, and thrusting his head through the window sash, from which a solitary light had disappeared, he proposed to capitulate upon terms that secured to himself his liberty and moveable property. To this proposition the Lieutenant, with that magnanimity that has ever characterized the American soldier towards a fallen foe, at once conceded, when Mr. Jones proceeded to roll out his stock in trade.

In the meantime Looney had arrived, and succeeded in planting his battery in the rear of the enemy. "Arrah, Taffey, dear," said he, "do ye's be givin' it to the spalpeens in front, an' it's meself that'll be cutting off their retrate," when bang went Mr. Orim's battery—the balls whistling in the air far above the heads of the dragoons, while the gun had leaped from its trappings with a retrograde movement, wounding and alarming the oxen, who dashed away into the prairie, with Mr. Orim closing gradually upon them. Mr.

Gen. Jones having, in due time, removed his goods from the forbidden ground, the building was committed to the flames, by order of the commanding officer, when the bugle sounded a retreat, and in a moment more the U. S. dragoons were spurring across the prairie in the direction of Fort Atkinson, flushed with the conquest of Sodom.

REPORT OF CAMPAIGN AGAINST MAJOR GENERAL STERLING
PRICE, IN OCTOBER AND NOVEMBER, 1864.

(Continued from page 197.)

Cattle, camp equipments, negroes, provisions partly cooked, and stolen goods were scattered over miles of the forest camp and along the lines of the retreat. Few were killed on either side, as the night and early morn attack created a general fright in the rebel lines, and only random shots on either side.

General Sanborn's brigade being in advance, and the Colorado squadrons, assisted by my escort, which came up early in the skirmish, did most of the work. After following in hot pursuit for a mile, Gen. Sanborn halted his brigade for breakfast, while Gen. Pleasanton led the advance with the remainder of his division.

This battle of Marias-des-Cygnés was a gallant affair, commenced in a dark and rainy night, and consummated at early dawn, after a day and night march, to the surprise and horror of Price's forces. They burned a publicstore-house, formerly used by our pickets, and fired many haystacks in the vicinity, but their loss of two guns, many cattle, sheep, and thousands of little necessities for sleeping and carrying supplies, were serious losses to the enemy. Gen. Sanborn, being afterwards separated with Gen. Pleasanton from my command, reported to

Gen. Rosecrans, so that I cannot give his version of this and other events of this day's transactions.

Major Weed, A. A. D. C. of my staff, reports concerning his detached duties as follows. After reporting the matter of a proposed movement to the left by Gen. Pleasanton, which I rejected, as likely to separate us on the march of the 24th, he says:—

“The pursuit was continued regularly until eight o'clock p. m. at which hour we reached West Point, where the division of General Pleasanton was placed in the advance, for a night march, and, at midnight, reached the vicinity of Trading Post, a small settlement at the crossing of the Marias-des-Cygnés, and halted. I immediately proceeded to the front, in company with Major McKenny, to ascertain the cause of the halt, and learned from Brig. Gen. Sanborn that his advance had struck the enemy's column on a high mound, half a mile north of the town, and that, owing to the darkness of the night, and want of knowledge of the country, he could not and would not assume the responsibility of moving any further until daylight. On making these facts known to the commanding general, he ordered the artillery of Gen. Sanborn's brigade forward, to open at once on the enemy's lines.

“At four o'clock a. m. on the 25th, no firing having been heard, I was directed to go to the front and ascertain why the artillery had not been opened as directed some hours previous. On arriving there I found the battery just going into position, about half a mile from the position occupied by the enemy during the night, and four guns were very soon opened on the crest of this mound. After a few shots had been fired, Major R. H. Hunt rode up from our skirmish line and begged them to cease firing from that point, as their shells were falling in the midst of our own men, who had already driven the enemy from their position. I then learned from Major Hunt that three companies of the 2d Colorado cavalry, who had been in advance during the day and night previous, had, in the darkness and rain, pushed forward without support and gained possession of this commanding point.

"On returning to report to the commanding general I met Brig. Gen. Sanborn, who had just left his quarters, and informed him of the facts above stated.

"I remained with the major general commanding until Phillips's brigade had crossed the stream at Trading Post, when I was ordered over with a message to Gen. Pleasanton, and, after delivering it, proceeded to the front, with Col. Blair and Maj. R. H. Hunt."

Maj. Hunt, my chief of artillery, who commenced this contest at the Trading Post, or Marias-des-Cygnés, says, after speaking of our march on the 24th:—

"The commanding general insisted on the troops keeping on the shortest line; marched all day and night,—distance, probably, fifty miles. Before daylight on the morning of the 25th I directed Capt. Kingsberry, who commanded three squadrons of the Colorado troops, to take the hill on the left of the road, which he did, in connection with Col. Gravelly, who commanded this picket line, driving the enemy across the Marias-des-Cygnés, where they had felled trees to obstruct our passage. Quite a spirited engagement occurred during the passage of the creek. Our forces crossed and resumed the pursuit on a run. The enemy opened with a number of guns, one of which was here captured."

Major T. J. McKenny, A. D. C. and my inspector general, thus reports concerning the night and morning operations of the 24th and 25th:—

"The command was halted by order of the major general commanding, about nightfall, to cook some beef, at a small place called West Point. At eight o'clock P. M. an order came from the major general commanding, directing Gen. Blunt to remain in present position; that Gen. Pleasanton would take the advance. Proceeded until three o'clock at night, it being exceedingly dark, and raining, when the column halted. I was ordered forward to ascertain the cause. Found Gen. McNeil, who said he had his instructions from Gen. Sanborn, in advance, to halt and build fires to dry. At this time, an order came from the front to extinguish fires. I reported these

facts, when I was again ordered to the front to ascertain from Gen. Sanborn the cause of the halt. Found Gen. Sanborn in bed, some two miles in advance, and about three miles from Trading Post. He told me he had ascertained, to his satisfaction, that the enemy was in full force, perhaps ten thousand strong, immediately on the high hills in his front, and that he thought it unsafe to proceed further. These facts being communicated, we bivouacked for the night."

October 25th Gen. Pleasanton, in the advance, skirmished with the enemy across the Marias-des-Cygnés. During that night Generals Pleasanton, Lane, and myself traveled most of the time between the divisions; but, at early dawn, we went forward and saw most of the conflict, especially the advance of our troops on the plain and the taking of the mounds. We also joined the advanced movement in the timber, while our troops were skirmishing with the foe and driving him from the crossing.

Brig. Gen. Sanborn and the troops of his brigade, Major Weed, Major Hunt, and Major McKenny, of my staff, deserve special commendation for their efforts in this *Battle of the Marias-des-Cygnés*.

BATTLE OF THE OSAGE—OCTOBER 25, 1864.

Mine Creek, a branch of the Osage, and the Osage, at this point, are small streams, several miles apart, both skirted with timber, and surrounded by open prairie country.

After the affair at Trading Post, considerable delay and consequent separation of troops had occurred at the crossing of the Marias-des-Cygnés.

While Gen. Sanborn halted to breakfast his brigade, Gen. Pleasanton led the advance, consisting mainly of Colonels Benteen's and Phillips's brigades, in rapid further pursuit of the enemy. About three miles from Trading Post the enemy formed on the north side of Mine Creek, and made stubborn resistance. The brigade of Col. Phillips, composed of Missouri troops, came into line of battle and commenced firing at

long range, his men displaying good discipline and great gallantry. Col. Benteen, whose brigade comprised Iowa, Indiana, and other troops, came up on the left of this line. Meantime, the heavy roar of cannon induced me to hurry forward my own escort, with two little howitzers and other artillery at the utmost speed.

Col. Benteen met some of my staff officers on his arrival at the left, who suggested an immediate cavalry charge. The Colonel had already resolved on this movement, and only waited for the same order to be communicated to Col. Phillips. Major Weed conveyed the order to Col. Phillips. Col. Benteen's brigade came into line in a moment, and dashed against the enemy's right, outflanking and surrounding it, gaining position on and beyond the creek. Col. Phillips, also, with his brigade, moved quickly upon the enemy, so as to surround or overpower a large detachment of them, who immediately surrendered as prisoners of war. Among them were two rebel generals (Marmaduke and Cable), killing another (General Graham), and many colonels and other officers, and taking, altogether, five or six hundred men.

Gen. Pleasanton, being in command of the advance, had directed the general movement, and took an active part in the field. Gen. Lane, Col. Blair, Col. Crawford, Col. Roberts, Maj. Weed, Maj. McKenny, Maj. Hunt, and Maj. Curtis, of my volunteer and regular staff, and Capt. Hinton, and others of Gen. Blunt's staff, were also very active in the field on this occasion, which occupied, perhaps, thirty minutes.

I directed Col. Blair, who presented Gen. Marmaduke to me as a prisoner of war, to turn him over to Lieut. Col. Sears, 18th U. S. C. T. whom I directed to act as provost marshal, and take charge of the prisoners. I also detailed a regiment of Missouri troops to take charge of them, soon after informing Gen. Sanborn and Gen. Pleasanton of the detail.

All this transpired as we moved forward, crossing Mine creek, and while the advance were still skirmishing with the enemy. The rear brigades were also coming up at full speed, and the enemy again forming on a hill about a mile in

front. This point he soon abandoned, and we halted to form and close up our extended lines. After our rear brigades came near, the whole force advanced with caution, in two lines, our skirmishers pressing the enemy beyond the ridge which divides Mine creek and Osage. He now formed on the Osage, and the rear of our troops still being far behind, although I had repeatedly sent orders to hurry them up, I mentioned the matter to Gen. Pleasanton as somewhat remarkable; he told me Gen. McNeil seemed insubordinate or neglectful of his orders, and did not come forward as directed. His brigade being in front of Gen. Blunt's division, any delay by Gen. McNeil also delayed all the Kansas troops.

I then sent my adjutant, Major Charlot, with a special order which brought forward the brigade of Gen. McNeil at the utmost speed of his horses. On reporting to me, the General said his delay was no fault of his, and it was evident General Pleasanton's orders had never reached him, which caused some misunderstanding; and he further assured me that I would find him ready to obey all orders as promptly as possible. I directed him to deploy as quickly as possible and take the advance, which he did, with great success. I also told him to continue to report to Gen. Pleasanton, who commanded the division.

Before this occurred, the skirmish line reporting to me as broken down from fatigue, Gen. Sanborn, at my instance, had changed them, by placing Col. Cloud, of my staff, with some of the 2d Kansas volunteers, on this duty. Entering fields and forests, Col. Cloud continued the skirmish to the valley of the Osage, and beyond the stream. Meantime, Gen. McNeil, with his brigade, soon broke the lines of the rebels, that had extended for miles on the heights beyond the Osage, and, after about an hour's fighting in cornfields and timber, where our troops manifested great gallantry in repeated charges, the enemy again broke in great disorder, scattering arms, utensils, wagons, and all kinds of equipments over the field.

Gen. Blunt's division came up rapidly about the close of this battle of the Osage and began to deploy; but the flight

of the enemy was so rapid I could not get all the troops in line before it was necessary to resume the march in column.

All this conflict between Mine creek and Osage, and, including the fighting at both streams, occupied some two hours or more, and extended over several miles of onward march.

Being mostly a prairie country, the troops of both armies were in full view, and the rapid onward movement of the whole force presented the most extensive, beautiful, and animated view of hostile armies I have ever witnessed. Spread over vast prairies, some moving at full speed, in column, some in double lines, and others as skirmishers, groups striving in utmost efforts, and shifting, as occasion required, while the great clouds of living masses moved steadily southward, presented a picture of prairie scenery such as neither man nor pencil can delineate.

I present extracts from the reports of my comrades who mingled bravely in the great panorama, showing some of the details of this eventful struggle.

Col. Blair, now acting on my staff, after detailing his movements at and near Marias-des-Cygnés, says:—

“I here fell in with Major Weed, of your staff, and Surgeon Walgemotte, and we advanced in front of the left of our line. On an eminence in rear of where their last line of battle was formed we came across an abandoned wagon, the first I had seen since the burning ones just south of their camp. Finding a lot of books, letters, and papers of various kinds in the wagon, we stopped a few minutes to make a hasty examination of the contents, and, on resuming our forward movement, I observed that the brigade on our right was some distance past us, although we were still in advance of the one on our end of the line.

“Arriving on the table-land, which formed the summit level between the Marias-des-Cygnés and Osage, we again saw the enemy's line, and at this time it was evident he was in full force, although his whole line was not visible, his right being behind the brow of a hill which descended into Mine Creek. Meanwhile the gallant brigade on our right was steadily ad-

vancing with skirmishers well out, though brought to a check, apparently unsupported, in the face of this overwhelming force.

The artillery was playing with great rapidity and considerable effect. I looked at the enemy's line, close serried, and vomiting fire; I looked at the dauntless little brigade, which was unflinching and steadfast in its front, and then turned to the rear, and it seemed a fearful distance to the head of the supporting column. I called Major Weed's attention to the situation, and he galloped to the rear to hurry forward reinforcements, as it was evidently here the battle was to be fought, and the desperate issue joined, on which the fate of the south tier of Kansas, at least, depended.

Advancing alone, to see, if possible how far the right extended beyond the cover of the hill, the bursting in the air and the tearing up of the earth, soon satisfied me that they were firing canister at an enemy that they supposed was advancing on their right, and hidden from view by the acclivity immediately in their front. This conviction on their part, I am satisfied, saved the brigade on our right, as a rapid and vigorous advance at that time would either have overwhelmed, or utterly put it to rout.

I moved to the right to get out of the sweep of the canister, and then advanced till their extreme right was developed to view, and then rode rapidly to the rear with a tolerably full understanding of the situation. Meeting Col. Crawford but a short distance back, I explained matters to him very hastily; told him they had commenced canister firing, and urged him to go back and hurry up the troops, as he was acquainted with most of the brigade officers of Gen. Pleasanton's division, and I had no acquaintance whatever with any of them. He agreed to do so, and again started to the rear. I then moved off to the brigade on our right, and when I arrived there, found it engaged at long range, and halted for our other troops to come up in our line. The enemy's artillery was playing on this line with fearful effect, and we had nothing but musketry to reply, but the men were steady and self-pos-

sessed, and perfectly easy under the fire. I don't know how long it was before the other brigade came up; to me, it seemed a long time, and I had ridden from this brigade back towards the enemy's right once or twice before it came up. When it *did* come in line, the whole command advanced to short range, and for a time, the fire was incessant and terrific. Both lines seemed like walls of adamant,—one could not advance, the other would not recede. The crash of musketry, the scream of shell, the hissing sound of canister and balls, mingled with the shouts of the soldiers and the cries of the wounded, set off, too, by the walls of fire in front, and girdles of steel behind, which marked both lines, formed a scene more easily remembered than described.

During this terrible conflict I passed along the whole line and met your gallant staff officers everywhere, counselling, encouraging, exhorting, and commanding, and the tenor of the whole was, "Charge!" It was evident that our only safety was in a successful charge, by which we might capture the guns.

At length, the movement commenced; slowly at first, but increasing in velocity until it swept on, resistless as an avalanche. A rush, a scramble, and all was over. The guns were captured, the enemy broken and flying to the rear, while our victorious squadrons were in almost breathless pursuit. So rapidly was this accomplished that, when our left pushed forward into a field on the south side of the ravine, the shells from our own artillery were crashing right into their midst. I was to the right of this, but so close that I could see this result, and could also see Captain Hinton, of General Blunt's staff, in the midst of our victorious line. Pushing rapidly forward, I witnessed the capture of Major General Marmaduke, by Corporal James Dunlavy, of company "C," 3d Iowa Cavalry. Marmaduke was endeavoring to rally his men, and Dunlavy was galloping towards him, occasionally firing at him. Marmaduke, evidently, mistook him for one of his own men, and started towards him, reproving him for firing at his friends; at least I so judged from what I could see and

hear, and so the boy afterwards told me. The boy stopped and coolly waited until Marmaduke got within twenty or thirty rods of him, then covered him with his carbine and ordered him to dismount and surrender, or he would fire. Marmaduke dismounted, and his horse galloped off. Seeing that I was an officer, the boy proposed to turn him over to me, but I declined being bothered with a prisoner. Marmaduke then said, "Sir, you are an officer; I claim protection at your hands; I am a general officer—General Marmaduke." I then took charge of him, and informed him that I would protect him until delivered to you as a prisoner of war, at which he seemed very much relieved. The boy then spoke up and said, "Colonel, remember I took him prisoner; I am James Dunlavy, corporal of company 'C,' 3d Iowa cavalry. I told the boy (who was severely wounded in the right forearm, but who still grasped his pistol with vigor and energy), to come along also, and he should have the honor of being introduced to you as the captor of Marmaduke.

On the way, General Marmaduke complained of being dismounted, and Dunlavy promptly apologized, saying, "if I had known you were a general officer, I should have allowed you to remain on horseback." Marmaduke then informed me that he was very faint and weak, and could not walk much farther. Meeting a soldier with a led horse, I took charge of him and mounted the prisoner.

Soon after this, I met Major McKenny, of your staff, and proffered to turn the prisoner over to him, but he was too intent on getting to the front, to be troubled with him. On my way back I saw one or two general officers, but I preferred delivering my prisoner to the commanding general of the army of the border, and you will remember that I accordingly placed him in your own hands, at the same time introducing his captor, giving his full name, company, and regiment.

This is the true, unvarnished story of the capture of Marmaduke, about which there has been so much misrepresentation in the newspapers. Having rid myself of this responsibility, I again hurried to the front.

When I overtook the advance, I found it halted at the foot of the precipitous mound descending into the Osage valley. Leaving Col. Cloud, of your staff, here, Capt. Hinton and myself pushed forward to the skirmish line, away in the advance almost as far as we could see over the smooth prairie, and on arriving there, we could plainly see the rebel column moving straight in the direction of Fort Scott. At the same time, a smaller column was effecting a junction with it, and came from a point to our right, higher up the Osage, and which was, most probably, the force engaged by Col. Moonlight, near Fort Lincoln. The column in our front moved off and disappeared from sight, while our own line still remained stationary in our rear. I picked up an orderly from the skirmish line who belonged to the 2d Kansas cavalry, and sent him back with a message to Col. Cloud, requesting him to get Gen. Pleasanton to move forward, as I feared for Fort Scott, and at the same time got a citizen who had come forward with us, to make a detour to the right and try to reach Fort Scott, with a verbal message to the commanding officer to hold out to the last if the enemy struck him, as we were immediately upon his rear. Minutes passed, and still our line did not move. I grew impatient, and sent another man of the 2d Kansas, with a second message to Col. Cloud, requesting him to see you and tell you that the enemy was moving in a direct line toward Fort Scott, and that to save it, something must be done immediately. I feared that some one unacquainted with the topography of the country had led you to believe that the enemy was diverging to the east, as I knew at that time he was not.

At length, my suspense was ended, and the line began to move, and from this on there was no unnecessary delay. Simultaneously, the skirmish line also advanced. I waited till Gen. Pleasanton came up (he being with the advance), explained to him the topography of the country, the direction the enemy had taken, my fears for Fort Scott, its situation, amount of stores, &c., and then hurried forward again to the skirmish line.

[It is proper to say here, that the delay at the mound spoken of, and subsequently on the summit, was only sufficient for General McNeil's brigade to come up and take the advance, which seemed absolutely necessary, to relieve the weary troops that had before acted in front.

Fort Scott was Col. Blair's home, and his regular post, and a few moments seemed to him a long period. Besides, Col. Cloud was then in the advance, by my orders, leading the skirmishers, and could not have received Col. Blair's report.]

"The movement was then rapid and continuous, till the skirmish line was checked near the verge of the Osage timber. The woods seemed alive with rebel soldiers, but in rapid motion. The skirmishers kept up occasional firing at them until the advance brigade came up, and we all charged rapidly down into the timber, but the enemy disappeared before our arrival.

"Col. Cloud was in the charge, with about sixty veterans of the 2d Kansas cavalry. He halted in the timber to rest his horses for a few minutes, and I passed on with the advance brigade, which, I think, was Brig. Gen. McNeil's; at all events, it was commanded by a general officer. We followed down the stream some distance, crossed at the ford, and just as we were emerging from the timber, on the south side, the head of the column was fired on by the enemy's skirmishers. We soon dislodged them, however, and pushed on towards a cornfield on the left of the road.

The head of the column was here checked by a heavy fire from the field, and it was evident that another battle was to be fought. Accordingly, the General (McNeil) formed his brigade in close column of companies, and made them a little speech while forming, to the effect that, "It made no difference whether there was one thousand or ten thousand men in that field, he wanted them to ride right over them." The men responded with a yell, the dismounted skirmishers tore down the fence in the face of a galling fire, and the column swept through it like a tornado.

In the rear of the cornfield another line was formed on the prairie, the right resting on the skirt of timber fringing a small

stream, while the advance of the brigade, rapidly deploying into line, charged and broke them at the first onset.

A third line of battle was formed still further to the rear, in a low basin, where there had been an evident intention to encamp, which was surrounded by a semi-circle of hills, where they held us at bay, under a severe fire, for about twenty minutes or more, and until the whole brigade formed in line and charged. Before this impetuous charge they were again broken, and as I passed through their temporary halting place there was abundant evidence of the haste they were in, in the broken weapons, dismounted forges, fragmentary mess-chests, and smashed crockery with which the ground was strewn. The chase then continued about a mile, to the top of the hill south of the valley of the Osage, and on getting view of the enemy from the summit of the hill, I was gratified to observe that he was bearing very palpably to the east, thus giving me my first reasonable hope that Fort Scott might be spared. I noticed, too, with increased satisfaction, that we were at least a mile east of the wire road, and that for the first time, the enemy's direction was turned from this place. Satisfied that I could render no further service, I determined to come directly here (Fort Scott) to see to a certainty, whether the post, which was my special care, was safe or not, and to satisfy those cravings of hunger, which, though persistently ignored for three days and nights, would still, despite of resolutions, occasionally become clamorous.

I refrain from adding the glowing compliments properly bestowed on others of my staff by Col. Blair, although he and they deserve all he has written, for, undoubtedly, much of the success of this day's operations are due to their unceasing and extraordinary efforts.

Col. W. F. Cloud, acting on my staff, with a small detachment of his own regiment (2d Kansas), reports of these battles as follows:—

“Accompanied by a small detachment of Kansas cavalry, the 2d, commanded by Sergeant Peck, I moved forward in the

space between our extreme right and the left, giving such orders and encouragement to our forces as seemed necessary. In this order we came to a rebel battery, the men of which had ceased to fight, from fear, at which a rebel Colonel Jeffries surrendered to me, claiming protection for himself and men. Giving such directions as seemed proper for guarding the prisoners, I moved to another part of the field, assisting in arresting prisoners, and securing several pieces of artillery abandoned by the rebels in their retreat through the brush and creek.

"Seeing Gen. Pleasanton upon the field, near to a section of artillery, I moved forward and reported facts as directed, and then, observing that he was directing the fire of our artillery upon a detachment of our own troops, I so informed him, but was rebuked; still persisting in my statements, I had them confirmed by an officer from the detachment under fire, whose assurances were united with my own, and prevailed upon the General to give the order to cease firing, saying at the same time, 'You should carry your colors upon the battlefield.'

"At the order of General Sanborn, the 2d Kansas cavalry was moved forward as skirmishers, some mounted, some dismounted, and drove the enemy out of the woods and across the river. Here the enemy had another line formed, and our troops were ordered forward, the 2d Kansas remaining in its position on the right; and in this order, pressing forward, we reached from right to left, in the form of a crescent, which placed us in the advance of the center, when the rebels retreated from our steadily advancing army.

"My command had the advance from the advantageous formation of the ground, and leading, in this manner pursued the enemy for the distance of three miles, in a continuous charge, until compelled to halt from sheer exhaustion of the horses, many of them falling under their riders."

Col. Cloud was very active during the campaign, and his immediate connection with the capture of Col. Jeffries and the battery of rebel guns at Mine Creek, and leading the

skirmishers at the Osage, are distinguished achievements which ought to secure his promotion.

Major Weed, of my staff, acting A. D. C. and commissary of musters of my department, also participated in this day's fight, and reports his detached service as follows:—

"I remained with the major general commanding until Phillips's brigade had crossed the stream at Trading Post, when I was ordered over with a message to Gen. Pleasanton, and after delivering it, proceeded to the front with Col. Blair and Major R. H. Hunt.

"Three miles south of Trading Post, with Mine Creek in their rear, we found the entire fighting force of the enemy (Shelby's division excepted,) drawn up in line of battle. As only one brigade of our own troops had come up, I rode a short distance back, on a road running parallel with and to the left of the one on which Phillips's brigade had marched, and very soon met Lieut. Col. Benteen at the head of his brigade, and informed him of the position of the enemy. He pushed rapidly forward, and on coming in sight of the rebel lines, at once formed his brigade for a charge. I then started to return to the troops already on the field, to urge upon the commanding officer a charge at the same moment with that of Benteen. Before reaching the command, however, I was accosted by an officer who pointed to the right-center regiment of Phillips's brigade, and asked me to take that regiment into action, and to tell the men their colonel would soon be with them. He then rode off at a rapid pace, in a north-westerly direction, probably on some urgent mission. I at once rode to the head of the regiment indicated, gave the message to all the officers, and to lessen as much as possible the depressing effects of the commanding officer's absence upon the men, charged with and in advance of them. As they came near enough to the enemy's line to open fire, I crossed their front and took position in the line on the right, where, in conjunction with Major R. H. Hunt, I did what I could to encourage and urge it forward.

"After the enemy's line had been broken, and his whole force put to flight, I rode to the left of our line and assisted in gathering together and sending to the rear a large number of prisoners, who had been captured with the artillery taken by Benteen's brigade. While engaged in this duty I heard of the capture of General Marmaduke, and some twenty minutes later, meeting General Pleasanton, who was just coming to the field, I informed him of the fact, also telling him that Marmaduke had already been sent to the rear. I then, at his request, took several squads of our men who had been separated from their commands during the charge, and proceeded to pick up prisoners, who were scattered over every part of the battle ground, some under guard, and many working their way to the rear without guards, and no guides except their own fears.

LETTER FROM HON. LYSANDER W. BABBITT.

COUNCIL BLUFFS, IOWA, August 20, 1870.

EDITOR OF THE ANNALS OF IOWA:—

Dear Sir:—I have just finished reading that portion of the July number of the ANNALS devoted to the "Pioneers of Marion County," and find it, in most respects, very correct; but in the sketch of Judge Williams, in the anecdotes related of him, you have the wrong parties upon the occasion of his nomination for the office of supreme judge by the legislative caucus. I was a member of the legislature at the time, representing Marion and nine other counties, and the incident related transpired in my room in Swan's Hotel. Hon. Geo. W. Jones and the Hon. T. Wilson were candidates for United States senator, and the Hon. J. Williams, S. C. Hastings, and many others, were candidates for supreme judges. I was numbered among the friends of Williams, and when

the caucus met, without showing any great anxiety upon the subject, went round among the members, saying: "Old Joe is a good old fellow, let us give him a complimentary vote," which proposition was agreed to by several members who desired the nomination of some other person. It took nineteen votes to nominate, and when the vote was counted, Judge Williams had received twenty-three votes, being a majority of the whole vote cast; whereupon I arose and said: "Inasmuch as the Hon. Joseph Williams has, on an informal ballot, received a majority of all the votes in this convention, I move that he be declared the nominee for supreme judge by acclamation." The vote was instantly taken, and before his opponents could rally, he was declared the nominee, whereupon two or three members whom I had solicited to give him a complimentary vote, exclaimed, "G— d— Mr. Babbitt's complimentary vote."

After the adjournment of the caucus, all hands were invited by Jones, Dodge, Williams, and other successful candidates, to partake of an oyster supper and free whisky, at a saloon near by, which invitation was pretty generally accepted, and at which the defeated candidates partook pretty freely of the last refreshment named. About twelve o'clock the party broke up, and the members retired to their rooms. The defeated candidates, Wilson and Hastings, roomed in adjoining rooms to the one occupied by me, and were very much excited over their defeat; so much so, that they walked from room to room, bewailing their fate, and declaring that they had been repudiated by the democracy. When they came into my room, I attempted to console them, telling them that they were not repudiated, but that other democrats had more friends in the caucus than they, whereupon Wilson exclaimed: "If I had been beaten by a high-minded, honorable man, I could have stood it without a murmur; but to be defeated by a dancing-master, ruins my reputation forever." To this speech Hastings responded as follows: "Wilson, you have been defeated by a high-minded, honorable man—a gentleman—a dancing-master—I

congratulate you; but for me there is no consolation, for, by G—d, the fiddler beat me.”

In relation to myself, I have to say that I am not quite as old as your report makes me; and you might have added to your history of my career as a politician, that I was twice elected recorder of the city of Burlington, and was twice elected to represent the county of Marion, and other counties attached to it, in the state legislature.

With the slight exception of misspelling names, and a few other unimportant mistakes, you have given a very correct history of the early settlement of Marion county, and I take this occasion to congratulate you upon your remarkable success.

Respectfully yours,

LYSANDER W. BABBITT.

RECOLLECTIONS OF THIRTY-FOUR YEARS AGO.

BY HAWKINS TAYLOR.

On Saturday, in early May, 1836, in company with Col. Wm. Patterson, A. H. Walker, and Green Carey (the two latter now dead), we crossed the Mississippi river from Appanoose to Fort Madison, Wisconsin (then spelled Ouisconsin). Appanoose was then the larger town, and aspired to be a great city very soon. The old man White and his son-in-law, Doolittle, owned the ferry, and they had but a day or two before returned from the Ohio river with an old steam ferry-boat. We landed at the point below the mouth of the branch below the present penitentiary. The first thing that presented itself to our view was the wreck of a board frame house that had been capsized and thrown over the high bank down into the river, the day before. On inquiry, we learned

that a man by the name of Martin Chany claimed, by squatter right, a tract of land above the town plat of Fort Madison, and now mainly occupied by the penitentiary grounds, and in accordance with claim laws, had built a house on it to hold his claim. Col. E. D. Ayres and others, claiming the same ground under an older "squat," as they said, came to town in force and capsized Mr. Chany's house, and would have capsized him if they could have found him. We found that public sentiment was with Ayres. Chany left and went to Iowa City. Years after this, I believe, and the last I heard of him, he was still claiming the land, and may be now for aught I know.

At that time the whole of the town of Fort Madison was above the off-set in Front street, with the exception of a few whisky shanties along the bank of the river below. The principal men of the town at that time were, Gen. John H. Knapp, his cousin, Col. Knapp, and Judge Cutter. The General was a man universally respected and loved. He was at that time building the Madison House, on the site of the old fort that had been burnt in 1816. Many of the charred remains of the fire were still in sight.

Col. Knapp had a store at the second corner below. The Colonel was a great friend of the Indians, and especially was he Black Hawk's chief friend. Black Hawk then wintered on Devil creek; his lodge was near the old bridge across Devil creek, on the old Fort Madison and Montrose road. His band wintered, and made sugar in the spring, for several years, in the Devil creek bottom. One spring they got up above the "half-breed" line, and commenced tapping the sugar-trees belonging to the settlers. This raised quite a row; the settlers complained to Black Hawk; Black Hawk said, "Big white chief give us leave," meaning Col. Knapp. As soon as the Colonel heard of the trouble, he told Black Hawk that he must not go above the line of the "half-breed tract." The Indians at once left, as directed. The Colonel was soon afterwards killed by Hendershot, at Bentonsport.

Old Judge Cutter had a store on the bank of the river. As the town plat was originally laid out, there were fractional lots between Front street and the river, for three blocks, opposite and below the old fort. On one of these was Cutter's store. At that time, these fractional lots were considered the most valuable lots in the town; but afterwards, when the government laid off the town under act of Congress, giving the owners of lots a pre-emption right to three lots to five towns in the territory—Fort Madison, Burlington, Bellevue, Dubuque, and Mineral Point—these fractional lots were made public property. The upper part of the town was covered with black jack, except a few acres above and back of the old fort, and that was smooth and covered with a most luxuriant growth of blue grass. The lower part of the town was covered with as fine a growth of large oak timber as I ever saw; the lower bottom mixed with linn, hickory, walnut, and other rich growth timber, and the pea-vine was as high as our heads on horseback.

Speculation was running high at that time, and everybody we met had a town plat. There were then more towns in what is Lee county now, than there are now, if paper plats constituted a town; and every man that had a town, had the map of a county marked out to suit his town as a county seat. At that time, or soon after, there was West Point; then Johnson Chapman had Franklin; then, a few miles south, Wm. Skinner had Leesburgh; then the old man Perkins had a town a few miles west of West Point, I forget its name; all to be in the exact centre of the new county that was to be made.

We went out to Dr. Gilmer's that night, and spent the Sabbath there. The doctor was an old Kentucky friend of ours; had fought under Jackson, at New Orleans; a kind, noble, good, generous, honest man, now in heaven.

At that time there were no settlements, scarcely, on the prairies; almost all the settlements were in the timber, and in what is now south-eastern Iowa. They were mainly on

in the state ever had or will have. They lived on the great thoroughfare from either Fort Madison or Burlington, going west, had a fine farm, the first orchard in the county, plenty of everything, and the latch-string was known to be always out for all preachers and, in fact, for everybody that wanted to come to the country and settle. The old man lived to an advanced age, surrounded with all the comforts of life, and raised a large and worthy family.

That day we bought the town of West Point, Walker and Carey joining us in the purchase. (At that time there were but three or four log shanties on the town plat. John L. Cotton had the only store. The house was about 12 by 16, made out of peeled hickory logs, the split part inside, and rough boards nailed over the cracks, no ceiling, and the roof steep enough to please any Hollander. The stock in trade was one barrel red-eye, said to be of approved quality, about a dozen pieces of calico, and as many more pieces of domestics, some fancy articles, sugar, tea, coffee, and tobacco, all amounting in value to a couple hundred dollars. At that time there were not twenty acres of ground fenced in sight of West Point. A good deal more was broken up and planted; but the first object of the settlers was, to get in their corn and then fence their ground.

Within a few days after our purchase, my associates returned to Illinois, leaving me to put up a frame house for each of us, 18 by 32 feet, one story high. I had not a foot of plank to use in any of them; the studding was rails straightened; the siding, split boards; and the floors, puncheons. The front doors and window sash were brought round from Pittsburgh, and bought at Fort Madison.) At that day, the only lumber used on the Mississippi was brought from Pittsburgh. These houses are still standing, I believe, and occupied.

On the fourth of July, I attended the first sale of lots in Salem, now in Henry county. There was then not a shanty on the town plat. At that time, Father Aaron Street, one of

the most intelligent, worthy men that I ever met, the proprietor of the town, lived in the edge of the timber south-west from the proposed town.

From there I went, that afternoon, to "Round Prairie," now in Jefferson county. There was not even a trail to follow. Scott Walker, and one or two other families, had moved there in the spring, but the trail they made had grown up. I, however, found my way to Walker's. There were two or three families then in Round Prairie: James Gilmer, S. C. Walker, and, probably, a Hardin and Butler and their families. That was the western settlement then.

On the 10th of September, 1836, the proprietors of West Point made a sale of lots, after pretty full advertisement. The proprietors were all temperance men, and one or two of them elders in the old blue stocking Presbyterian church, and they had set apart a liberal plat of ground to their late minister, and he was coming to settle there, and they had arranged to build a meeting house and organize a church. To be a "hard shell" Baptist was then respectable with the settlers; to be a Campbellite, was passable; and to be a Methodist, could be tolerated; but they felt that it was asking rather too much to come among them and propagate temperance and blue stocking Presbyterianism. It was strongly whispered that this was a bad set to settle a new country—in fact, it was whispered pretty loudly. The proprietors were very anxious to have their sale a success. They were all Kentuckians, and at that time had seen but few Yankees; still, they had picked up some Yankée ideas, and as nearly all the settlers were from the south, they concluded to make, on the day of sale, a regular old-fashioned barbecue. No sooner was this known, than the hard shells themselves softened, and offers from all quarters were made to take charge of the roasting department of the barbecue, and the worst of enemies became the best of friends. Both the sale and barbecue were a grand success; plenty to eat for all, and well cooked, no one intoxicated, everything cheerful and pleasant. The sale amounted to about \$2,300.)

Now, reader, do not say, "that is no sum at all." You must recollect that this was before most of you were born, and long before the days of army sutlers, commissaries, quartermasters, and shoddy contractors during a great war.

There were about two hundred people at the sale; many brought their families. Among others, there were a dozen or so of candidates for the legislature. The territory of Wisconsin had then just been organized, and an election for the legislature ordered. There were then but two counties in the territory, west of the Mississippi—Des Moines and Dubuque—Pine river, between Bloomington (now Muscatine) and Davenport, being the dividing line on the river. Des Moines county was entitled to three members of the Council and six members in the House. The main question at that election was the county line. Almost everybody had a town, and they wanted the new counties made to suit their towns as county seats. All the candidates at this sale were, of course, in favor of making a county that would make West Point the county seat; but I suspect the promise was forgotten, much after the fashion of the present day.

There was a very great immigration to the territory in that year, and scarcely any grain raised. The result was, short rations; and to add to this, it was an early winter, closing the river with ice, and cutting off supplies from that quarter. The town of Denmark had been located that season by an enterprising company of Yankees, headed by Fox, Epps, and Shed. Taking time in advance, they had gone into Illinois and bought a small drove of hogs to drive on foot, expecting to get back before the river closed; but when they got to the river it was full of ice, so that the ferry could not run, but fortune favored them, by the ice blocking so that they drove over their hogs on the ice the next day. This pork almost literally kept the people from starving until other supplies could be got from Illinois. The winter was long, cold, and dreary, and almost the entire supplies of every kind had to come from Illinois, and had to be hauled more than one hundred miles, and were sold at enormous prices.

But during that whole, long, dreary winter, a methodist preacher by the name of Cartwright, living a few miles west of Burlington, traveled the circuit of what is now Des Moines, Lee, and Van Buren counties, never missing an appointment. From West Point to Keosauqua there was nothing but a trail, and that covered with snow and ice, and few settlers; yet, rain or snow, he was always on time. I fear that there are few preachers, Methodist or otherwise, now in that circuit, who would be willing to go through such trials, with the same fare and same pay. If alive, I hope this noble man has an easy place now; if dead, he has his reward.

(West Point itself, and immediate vicinity, up to its being cursed with getting the county seat, for which it struggled so long, was a model town for sobriety and moral character. By nature it is one of the handsomest places in the state; but it has now, by railroads, been thrown into an eddy, and has settled down into a quiet, democratic, Dutch town. When first settled, it was a sort of half-way place of meeting between a clan that lived on the Skunk, headed by a notorious rough by the name of Hamp. Raltan, and an almost equally hard set that lived on Sugar creek, headed by a family by the name of Point. These parties would regularly meet in West Point on Saturdays, run scrub races, drink whiskey, and make themselves generally disagreeable to the good citizens. The Raltan crowd were horse thieves and regular desperadoes. They finally became so bad that the citizens encouraged the Points party, and they, one Saturday, drove the Raltan party out of the town, and finally out of the country; and as the county settled up, the Points party naturally drifted off. John Points was known as the bully of his section, although not at all quarrelsome.

At that time there was a man by the name of Allan living near where Charleston is situated now. Allen was from Maine, and prided himself on being a Yankee—an article scarce at that time in that section. Allan had heard of Points as the bully of West Point. Points was a Kentuckian. Allan sent him word that he would meet him in

West Point on a certain Saturday; that he was from Maine, and that he believed a Maine man could whip any Kentuckian. With the Saturday Allan and Points met, for the first time. Their friends formed a ring, and the two men went to work. Points had ten friends to Allan's one, but no one said a word; perfect fair play was observed, until Allan said he was whipped. It was a rough and tumble fight, and never were two men more evenly matched, and seldom better men. The fight was long and desperate; both men were a mangled mass when through. Old Father Brand, a *Virginia gentleman of the old school*, who had graduated into a justice of the peace, commanded the peace, and commanded the power of the commonwealth to stop the fight; but it was to no purpose, no one obeyed, and the commonwealth stood still until the fight was all over, when he had them both arrested. Each one pleaded that the fight was merely in fun; no harm whatever was intended; that it was merely to test the fighting qualities of Maine and Kentucky. Allan was very eloquent that Points, at least, should not be fined, as he was the victor; but the justice could not be convinced that it was legal for men to fight in fun. He fined them five dollars each, but I never heard of the fine being collected.

The ambition of West Point, in the early day of its greatness, was to be the county seat, and after many trials and many failures, it finally succeeded in getting the court house. Up to that time Solomon had had a monopoly of selling whiskey for the thirsty and the traveling man; but during court, John Kennedy, of Fort Madison, opened out a caboose, where he was supposed to sell "choice" red eye. Near the town lived a noble old man by the name of Creel, an old-fashioned Kentuckian, who kept up the Kentucky rule of taking a dram when he went to town. During court week Creel came to town, and meeting a friend, they went to Kennedy's and took a couple of drinks. Creel then went into the court house, and, not liking something that was said or done, very emphatically objected. Judge Mason

was on the bench at the time, and he fined Creel \$5.00. The next morning the old man went to Mason's boarding-house and told the judge that he did not object to or complain of the fine, but that he really thought the fine should have been put on Kenneday, and not him. The judge, in his kind way, asked, "Why so?" "Why," says the old man, "I go to town generally about once a week, or once in two weeks, and, according to my old custom, I go to Solomon's and take two drinks, I treating some one and he treating me. We are used to Solomon's whiskey; it is not strong, and does not hurt us, we understand it; but here comes this man Kenneday, from Fort Madison, with his new kind of whiskey, that we know nothing about, and I take only my two drinks, and it intoxicates me, so that I am fined; now, it was not me, but Kenneday, that was to blame." The judge at once agreed to, and did, remit the fine.

Another fighting scene of that day was laughable in the extreme. Among the early settlers in West Point was a family of Dodds, the old man a little nob of a man that did not weigh more than one hundred and twenty-five pounds, but who had been a celebrated fighter, in Tennessee, in his day, and two sons, Orrin and Warren, both now good citizens of Arkansas. Orrin had a store on the south-east corner of the town, the doggery was on the north-west corner. There was a little path from the grocery up to Dodd's store, beat through the grass. One beautiful evening, just about sunset, a big, blustering man by the name of Driscoll, from Kentucky, was boasting at the grocery of how many men he had whipped, and declaring, with boisterous oaths, that he could whip any man of his age. Dodd was by, but he had lost his voice, so that he could only whisper; but he goes up to Driscoll, who was twice as big as he was, and asked him how old he was. Driscoll said he was sixty-five. Dodd, without saying a word, started slowly up the path to his son's store, who was, at the time, sitting out by the door. When he got there he whispered: "Orrin, old Driscoll says that he can whip any man of his age. He is sixty-five; I am

seventy-two. Will I whip him?" Orrin answered, "If you can make anything by it." The old man, without saying another word, turned, and deliberately walked back the same path, to the grocery, and goes up to Driscoll and says: "You say you can whip any man of your age. You are sixty-five; I am seventy-two;" and diff he took him, knocking him down, when he jumped on him. Driscoll commenced hallooming "Murder! murder!!" The bystanders took off Dodd, when he again slowly and quietly marched up the same path to his son's store, and said, "I whipped him," and that was the last of it. Driscoll was badly hurt, and never got drunk in town after that. It made him a good citizen.

The article of my old friend Toole, and your article giving Gov. Lucas credit for his efforts in favor of public schools, made me recollect an incident of the first Iowa legislature. Toole was a member from Louisa county and I from Lee, and we both wanted to get some territory from Des Moines county. Toole wanted three miles from the north tier of townships of the county, and I wanted to get the fractional township across Skunk river, embracing Denmark. We had both introduced bills for that purpose, and we then went one evening to see the governor, to urge him not to veto the bills if we could pass them. Toole, in his most oily manner, introduced the subject of his wants. The governor, at once, with his hair stiffer than I thought I had ever seen it, said: "No, sir; I will not sign any bill that divides townships." Then, pointing to my bill, which had just come in and been put on his hook, "There is a bill I will veto if it passes. Township organizations and public schools are the life and protection of a free people. Of all things, public schools are the most important to the people, and they can only be properly organized by townships. No, sir, I will allow no township to be divided."

No man ever exerted himself more for public schools, temperance, and Christianity than did Lucas during his administration as governor. All honor to him for his noble stand at that time.

HON. PHILIP VIELE'S ADDRESS OF WELCOME TO GOVERNOR CHAMBERS.

Having published in the *ANNALS* a portrait and sketch of the life of Gov. Lucas, we should be glad to follow them with similar memorials of Gov. Chambers, our second territorial governor, and suggest that some one who is well acquainted with the private as well as public history of the latter, prepare a memoir of his life, and send it to us for publication in the *ANNALS*.

On the 15th of July, 1841, Governor Chambers, who succeeded Governor Lucas as territorial executive of Iowa, was formally received at the Madison House, in Fort Madison, and welcomed to Iowa, in the following address, delivered by the Hon. Philip Viele, then, as now, a citizen of Lee county:—

Governor Chambers: In behalf of the citizens of Fort Madison, I have the honor to welcome your arrival in our village. You will find here, I do assure you, those who are capable of appreciating all that is estimable in the private citizen, and distinguished and noble in public character.

The part, Sir, you have acted in the service of our common country, and your devotion to the fortunes of one who, while living, awoke in our bosoms the liveliest emotions of gratitude and admiration, have already made your name and character familiar to most of our citizens.

In entering upon the administration of your government you will, at once, find yourself surrounded by a population industrious, enterprising, intelligent, and patriotic. Men who have brought with them, into this "land of promise," those habits, views, and traits of character which not only adorn private life, but exalt the tone of public sentiment. In the discharge of your responsible duties, and in promoting the interest and happiness of this new and flourishing territory, the wisdom of your measures will be understood, and the purity and disinterestedness of your motives appreciated.

Sir, the character of the most distinguished man in life is never beyond the changes and reverses of human affairs; nor can the impress of fame and immortality be fairly given to it until the object of public regard and admiration has ceased to live, "both to nature and to glory."

I will not invade the sanctity of private affection, nor interrupt the melancholy yet pleasing associations of long tried and intimate personal friendship, now buried in "cold marble;" but there are offices of affectionate consolation which alleviate the griefs we would assuage.

All of Harrison that inspired our confidence and warmed our hearts with love and admiration still exists. We fondly cherish his memory, and embalm his many virtues. His race is run; his sun is set in unclouded glory; and his reputation for integrity, wisdom, and patriotism is now placed beyond the reach of hazard or cavil. He died as he always lived,—enthroned in the hearts of his countrymen.

So rare an occurrence of patriotic devotion, through a long life, is seldom or never to be met with, and will be looked upon by the future biographer and historian rather as an instance of the creative fancy of genius, than as the record of splendid achievement.

Potentates and governors, as well as individuals, should be admonished by the desolation of time of the importance of doing justice and loving mercy; of cultivating that humble and graceful spirit of mind that assimilates our characters to the standard of eternal truth. Then, all that is noble in human action will partake of that high and sublime nature which distinguishes the Supreme Being for all that is truly great, wise, and good.

But, Sir, I will detain you no longer. Again, I repeat, you are welcome to our "cabins" and our hearts.

HISTORY OF LOUISA COUNTY.

BY WILLIAM L. TOOLE.

(Concluded from page 269.)

In my two former articles relating to the early settlement or occupation of our county, briefness was adopted, and tiresome repetition avoided; the same course will be followed in this, my third and last article thereon.

Louisa county, like its adjoining counties, had for its early settlers a people patriotic and spirited, as was fully shown at the time of our border war; for, although then but few in numbers, they eagerly and freely attended to the call to repel the invaders. Public meetings were held, an exchange of opinion given, addresses made, and resolves made to be united and stand ready for a move against the intruders from Missouri.

This display of patriotism and determinedness was not confined alone to the males of eighteen years and upwards, but the wives and daughters were fully as zealous, encouraging the immediate move against the invaders. Exemplary of it, I will refer to one instance: Mr. Eastwood, one of our earlier justices of the peace, a blacksmith by trade, and who also kept a tavern, was made quite noted through these public positions of justice of the peace, blacksmith, and tavern-keeper, and as a consequence, his cabins were places of public resort, and places of public meetings. His wife possessed equal zeal and patriotism, and was quite a favorite of the people, on account of her hospitality and kindness. She took quite an interest in these public meetings, and on one occasion, assisted by a few of her female friends, prepared a free dinner for all assembled, and enough for all. The dinner was made noted through the huge (Johnny or journey) cake she prepared for the occasion; it was fourteen feet long, and about one foot wide, baked on a board before a fire fixed along a large log,

and, perhaps, the largest cake ever made in Iowa. The novelty of the cake, the patriotic speeches, and the fife and drum imparting life, and all striving to make the occasion interesting, lively and humorous, none enjoying the joyousness more than the popular favorite, Mrs. Eastwood.

These assemblages and public meetings would be composed of citizens, immigrants from several different states, possessing all the good qualities requisite to make patriotic, spirited, and useful citizens, probably greatly superior to those left behind them, for, as a general rule, it is only those of health, strength, and vigor, honorable, patriotic, and trustworthy, and capable of successfully organizing politically, and for self-protection, who do emigrate westwardly, and not the feeble, the imbecile, the drones, and fossils; for those have not the will, the courage, strength of intellect, or perseverance sufficient to move them from the firesides of their fathers; and if they did emigrate, would not aid much in subduing the wilderness, or in converting the wild, unoccupied prairie into fruitful fields; nor would they add much to the honor and glory of battle-fields.

And the first immigrants into Louisa county, like in the adjoining counties, showed evidence of soon taking proper steps for organizing for self-protection, and politically. A reference to their articles of union has been made heretofore, but I may be excused for introducing here one or two, to show their soundness and suitableness, adopted at a public meeting in our county, July 4th, 1836:—

“WHEREAS, It has been the settled policy of the United States to extend its territory by extinguishment of Indian titles by purchase of their lands, and to encourage settlement thereon by granting pre-emption therefor; and to prevent the confusion that might be produced in selecting locations or claims, we deem it advisable to adopt certain rules and regulations for that purpose; thereby, preserving unity and peace among ourselves, and good order in society, until Uncle Sam extends his arm of protection over us, and gives us his laws for our guidance,—

"*We resolve*, That all persons of this district (No. 1), male and female, over eighteen years old, shall be protected in claims on public lands, each one to the amount of one half-section, by adopting proper boundaries to the same."

Another article reads as follows:—

"As it is the custom of the government to have the public lands surveyed and brought into market at public sale, we, to prevent confusion, and to protect ourselves against opposing bidders at the public land sale, do mutually pledge ourselves to settle and adjust by ourselves all difficulties that may exist in connection with our claim-lines; or by a committee of three persons, one to be chosen by each party, and those to choose the third; the three shall hear all the evidence in the case (without oaths), and decide thereon, which decision shall be final and binding, and that we will unitedly support it."

Another, as follows:—

"That all the claims shall be numbered and registered, and bid off at the public sales by a bidder appointed for that purpose, and we bind ourselves to protect said bidder on said day of sale, while bidding for us for our registered claims, and in a body, united with claimants of other districts and counties, prevent any opposing bidding."

And, as said in other numbers of the ANNALS, the people thus safely organized, and having all matters connected therewith properly arranged, attended the land sales in a body, feeling entirely certain of securing their homes. These facts strengthening the assertion that the early settlers of Louisa county were capable of enacting good governing laws for their protection, and willing to be governed by all proper and wholesome laws.

Those same new settlers of our county, after getting through with the business of securing their homes, together with citizens of other counties, began to turn their attention to public and governmental matters, petitioning Congress for a separate territorial government from Wisconsin, &c., &c. And, as said before, as our county history closely connects itself

with the early history of Iowa, I may, for the purpose of perpetuating the history of county and state, be excused for herein giving the proceedings of the convention held for the purpose of asking Congress to grant us a separate territorial government, pre-emption law, &c. Said convention met in Burlington in November, 1837; viz:—

The convention was called to order by C. S. Jacobs, of Des Moines county; and, on motion of Mr. Warren, of Dubuque county, Mr. Jacobs was made chairman *pro tem.* of the convention for the purpose of organization.

On motion of Mr. Russel, of Dubuque, J. W. Parker, of Dubuque county, was elected secretary *pro tem.*

On motion of Mr. Davis, of Muscatine county, the counties were called over to ascertain the names of the delegates from each one, and the following gentlemen presented their credentials and took their seats in the convention; viz:—

From county of Dubuque.—P. H. Engle, J. T. Fales, G. W. Harris, W. A. Warren, W. B. Watts, A. F. Russel, W. H. Patton, J. W. Parker, J. D. Bell, and J. F. Rose.

From Des Moines county.—David Rorer, Robert Ralston, and C. S. Jacobs.

From Van Buren county.—V. Caldwell, J. G. Kenner, and James Hall.

From Henry county.—W. H. Wallace, J. D. Payne, and J. L. Myers.

From Muscatine county.—J. R. Struther, M. Couch, E. Reynolds, S. C. Hastings, S. Jenner, A. Smith, E. K. Fay.

From Louisa county.—J. M. Clark, Wm. L. Toole, and J. Rinearson.

From Lee county.—Henry Eno, John Claypool, and Hawkins Taylor.

On motion, the convention proceeded to organization.

Mr. C. S. Jacobs was elected president, Messrs. Clark and Wallace, vice presidents, and Parker and Struthers secretaries.

The governor and members of legislature were invited to seats.

A committee of seven,— viz: Messrs. Eno, Claypool, Kenner, Ralston, Davis, Watts, and Toole,—were appointed to draft a memorial to Congress, on the subject of the attempt making by the state of Missouri to encroach upon our southern boundary, and ask its interposition therein.

A committee, composed of Messrs. Engle, Payne, Struthers, Patton, and Smith, were appointed to prepare a memorial to Congress in relation to separate organization of a territorial government for Iowa.

Also, one composed of Messrs. Harris, Caldwell, Fales, Hastings, Parker, Taylor, and Rose, to prepare a memorial to Congress in relation to pre-emption.

Said committees reported their memorials, which were unanimously adopted.

The convention then, for the purpose of making known its sentiments relative to the efforts of Missouri to encroach upon our territory,—

Resolved, That it fully approved that part of the message of Governor Dodge, relating to our southern boundary, as communicated to the legislative assembly at their session, and with him, believe that Missouri has made encroachments upon our territorial rights, in endeavoring to extend its boundary north.

The convention then voted its thanks to Governor Dodge, and to our delegate in Congress, Geo. W. Jones. And then, after the usual complimentary thanks to president and officers of the convention, requests that its proceedings be printed in all the newspapers of the territory, and requesting our delegate to present its proceedings to Congress. And after a short address of its president, the convention adjourned.

The three memorials adopted at this convention were well received by Congress, and acts passed conforming thereto, and its interposition secured in regard to the border was referred to a settlement thereof made entirely satisfactory to Iowa. The timely memorial on this subject, no doubt, had its influence on Congress, and was the means of preventing bloodshed.

Louisa county, like its adjoining counties, has been agitated from center to circumference, and from outline to outline, on the railroad bond question, the citizens more or less interested, because it reaches their pockets, and all opposed to paying taxes, to meet the interest or liquidate the bonds. Not in defense of, or to excuse the (then) majority, who voted in favor of the project for which said bonds were issued, but as it is a subject now closely connected with the history of the county, and one that has agitated the county more than any other, either local or political, it will not be inappropriate herewith to include it in its history, and give a brief statement of the origin, progress, and final failure of the railroad in the county, the prime cause of issuing said bonds.

In 1851, several noted railroad presidents and engineers, members of Congress, editors, and distinguished business men of the states of New York, Pennsylvania, Ohio, and Indiana, among whom were General Schenck, General Wilson, Judge Humphrey, Mr. Pennington, Mr. Day, Mr. Bayless, and others equally distinguished, began a correspondence, urging the move for an organization to make an air-line railroad from some central, suitable point in Pennsylvania, to Fort Wayne, Indiana. Williamsport, in Lycoming county, Pa., was suggested as the beginning point, and where connections could be had with railroads running to New York and Philadelphia, thence *via* Franklin, Medina, and Tiffin, to Fort Wayne, Indiana. Meetings were held along the line in 1852, addressed by those men. Newspapers advocated the move, and finally, companies were formed to forward the work. That done, then those influential men and railroad companies, in 1853, began to agitate the move of the air-line railroad westwardly, soon securing an interest therein through Illinois *via* Lacon to New Boston. That done, they then extended their efforts into Iowa, soon securing the interest and influence of Gen. Curtis, who, with those first approached on the subject, honestly believed that the extension of said railroad through Louisa county, then west to the Missouri river, at a point opposite the initial point of the Pacific road, would be the begin-

ning of a new era of prosperity in Louisa county; and a company was organized to forward the great work conjointly with the other companies in Illinois, Indiana, Ohio, and Pennsylvania. And at a meeting in Fort Wayne, in 1854, these companies all became consolidated, under the name of the American Central Railroad Company, and elected General Schenck president thereof, and Pennington, Plumer, Bayless, Day, Perry, Wilson, and General Curtis vice presidents, who published able addresses, strongly urging the early completion of the American Central, as proposed, from the Atlantic to the Missouri, exhibiting its great national importance, its vitality, to the interests of commerce and civilization, to the spread of intelligence and liberal principles, &c., and that every heart be warmed with the greatness of the enterprise,—an enterprise that Philadelphia, New York, and Baltimore would vie with each other in eagerness to form a connection therewith; a great road, national in importance and usefulness; and that the mechanic, the manufacturer, agriculturalist, and commercial men should favor the construction of the American Central, a combination of railroads unrivalled as to distance, grades, curves, location, and connection with sea-board, and that could be constructed as cheaply as any other railroad in contemplation, &c., &c., and for the completion of which the strength, energy, and aid of the whole people along its line could not be better applied.

With these representations and influences, and the important fact that the work of construction was progressing all along the line east of the Mississippi, and an early completion expected without a doubt. I say, how could that majority in Louisa county, who favored a connection with this important line of railroads, and urged a beginning of work thereon, with county aid, be blamed? Nor was it, until the Crimean War of 1854 to 1856 interfered with negotiations for sale of bonds, checking its progress, and finally producing an entire cessation of the work thereon.

Those same friends of the Central in Iowa did, however, make an effort to revive it a few years ago, but were again in-

errupted by the war between Prussia and Austria interfering with negotiations for sale of bonds, that was in each case reduced to a certainty. And, notwithstanding these two disappointments, its completion through Iowa was still resolved upon, and a third move for that purpose began this year, and its bonds about to be introduced into the market, when here comes the war between France and Prussia, interfering with all plans and arrangements for funds. For, in this, as in other similar enterprises, it depended upon foreign aid for progress and completion.

Although not as at first designed,—under one organization,—the air-line American Central Railroad will, no doubt, be completed by continued connections of railroads,—already so to Fort Wayne,—and from Galva to Mississippi river, and organizations for its completion through Indiana. The next move in Iowa on it will be from Toolsburg to Wapello.

This history of the American Central railway should satisfy the now majority against, that the majority that was for it aimed at benefiting our whole county, and all of this tier of counties to the Missouri river.

To show that the first movers of the Central were also among the first movers of Pacific road, we may be excused for adding, in county history, that the friends of the Air-line Central, at one of their meetings in Lacon, Ill., in 1853, called the citizens together, to make known their views relative to the Pacific railroad. Mr. Bayless, of Indiana, was chosen president of the meeting, Mr. Barnett, of Indiana, and Mr. Buckingham, of Ohio, vice presidents, and Thomas Tiger, of Indiana, and Wm. L. Toole, of Iowa, secretaries. The president announced to the meeting that its object was to promote and advance the great enterprise of constructing the Pacific railroad, and to encourage immediate action on the subject. A committee was appointed to prepare resolutions expressive of the wishes of the meeting, which, by their chairman, reported: first,—that a railroad across the central part of the United States, connecting the two great oceans, would be traversed by the whole world, and be a great national band

to unite our own states, and to extend our commerce. Secondly,—that a series of public meetings be immediately called, to recommend the peculiar advantages of the Platte Valley route, and urging Congress to appropriate money and means for its early commencement and completion. And that all proceedings of public meetings be sent to members of Congress, with the request that they present the same, and give all proper attention thereto. Then, Mr. Buckingham, of Ohio, and Mr. Fleming, of Indiana, ably addressed the meeting. And General Curtis, of Iowa, also addressed the meeting at much length, advocating the Platte Valley route, as central and national, and of easy adaptation to a rapid and permanent construction of the road. The address was, altogether, a masterly effort, combining important information, sound logic, and patriotic sentiment. Some other important matters connected therewith were also attended to.

This, as well as the two former articles relative to early history of Louisa county, without any assistance or suggestions, has been made from my own knowledge of occurrences and events relative thereto. But in case other persons may know of any matter connected with its early history that should be included, by reporting it, such matter can be included in article number four; but if none is reported, this is the end.

HARVEY HATTON'S SERMON.

From the Unpublished History of Cedar County.

BY WILLIAM H. TUTHILL, TIPTON, IOWA.

As distinguished from the stated ministry of the orthodox churches in "Old Cedar," some singular specimens of illiterate preachers have from time to time appeared, and after a

brief sojourn, passed away, but their crude and often absurd views, had they been written out in their own peculiar phraseology, would, beyond a doubt, amuse if not instruct the reader.

One of them, known as Bro. Hinckle, remained long enough to organize a church in the southern part of the county, giving it the extraordinary appellation of "The Bride, the Lamb's Wife;" and although strongly suspected of being a renegade Mormon, succeeded in getting a small number of converts, among them a well-known resident of the county named Harvey Hatton.

Now, as Harvey was generally considered an idle, whiskey-drinking, Ishmaelitish personage, abounding in low cunning, whose character for honesty and probity stood somewhat low in the community, his sudden conversion could hardly be accounted for, unless the theory of John Finch was accepted, that as Harvey was bound over to court for assaulting and violently beating an officer who had attempted to arrest him, that fact might account for the milk in the cocoa-nut.

Be that as it may, court term came on, and the grand jury was regularly impannelled; but on the evening of the first day, and before they had fairly entered upon the discharge of their official duties, Harvey was announced to *preach* to the people of Tipton. A sermon from Harvey Hatton brought, of course, a crowded assemblage, in which appeared a goodly representation of the dignitaries of the court. Promptly at the appointed hour, Harvey made his *debut*, and after a preliminary prayer, characterised by exuberant fervency (reading a portion of scripture being omitted, for obvious reasons), gave as his text the conversion of St. Paul, somewhat shrewdly intimating that it was the type and forerunner of his own.

Of all the sermons in this sermonising land, this one of Harvey Hatton's may well be considered as truly original. He was exceedingly fluent and energetic, and his *Hoosier* language, coupled with his ludicrous misquotations from the sacred volume, were fully appreciated by his attentive hear-

ers. One of his unique renderings will long be remembered :
 "Paul! Paul! it is hard for you to kick agin natur."

This queer discourse produced an effect. The grand jury, sapient in their wisdom, concluded that it would be highly improper to indict a preacher who held forth with so much unction, and thus Harvey escaped scathless from the clutches of the law; but, sad to relate, owing, probably, to his *natur*, from that time onward all his religious manifestations, by a curious coincidence, had entirely evaporated.

RECOLLECTIONS OF THE EARLY SETTLEMENT OF NORTHWESTERN IOWA.

BY N. LEVERING, GREENWOOD, MO.

(Continued from page 282.)

The remaining three captives were forced to continue their weary and torturing journey across the dreary, snow-clad plains, which lay stretched out far beyond them, the sight of which, with the wailing of the chilling winds that came rushing over the hills, and sweeping the valleys, and moaning amid the leafless tree-tops around their camp-fires, as if to mock their suffering, and cause a deeper pall of gloom to encircle their grief-stricken hearts, shut out every ray of hope for escape. The heart bleeds and sickens, and frail humanity shudders, when we survey the suffering condition of these poor captives out on these boundless prairies, amid snow, and biting frost, and chilling winds. Those who have traversed the prairies of the north-west in the inclement weather that is common in that region in the rough month of March, can form a faint conception of the sufferings of these poor women, who were, in a measure, deprived of a sufficiency of clothing and healthy food; but "He that tem-

all murdered, but who had been apprised, through the mail, of their rescue. Mrs. Allen stated, that during her captivity she belonged to or was kept in charge by White Cloud, a chief. One day a warrior came to White Cloud's *teepe*, and related to the chief, in her presence, that during, or about the time of, the massacre referred to, he went into a white man's house, where he found no one at home except squaw and pappoose, as he said. The woman was engaged in baking bread, and had her stove oven hot for that purpose. As she stooped down to place the bread in the hot oven, he struck her a blow upon her head, with his tomahawk, killing her instantly. He then took her little infant, that lay in the cradle, and placed it in the hot oven, where its mother had tried to put her bread. The cries and shrieks of the poor babe were heart-rending. When he took it out and beat its brains out upon the hot stove, said the savage, "its brains fried on the stove." White Cloud remarked: "I wish I had been there to have laughed at it." They both laughed heartily over the recital of this and similar brutalities mentioned by them.

Many bitter days of suffering, mental and physical, to the captives, rolled sluggishly by, and nature unrolled her green robes over the vast prairies; beautiful flowers shot forth, as if to adorn, beautify, and perfume nature's verdant robes; the trees put forth their quivering leaves, and the sweet songsters flitted among their boughs, warbling their sweetest strains of praise to their Maker. Nature, thus arrayed in all her beauty and glory, had no charms, or could create no emotions of pleasure in these poor unfortunates, whose minds were now bordering upon a state of insanity. All around them looked sad and dreary. The dark clouds of despondency had drank up their tears, and were settling around their crushed hearts and reeling brains: reason was almost dethroned, and these poor captives rendered pitiful wrecks of humanity.

Gov. Samuel Medary, of Minnesota, whose generous heart was ever open to suffering humanity, learning, through some

friendly Indians, the probable whereabouts of Ink-pa-do-tah's band, at once secured the services of some of Little Crow's band to go in pursuit, and, if possible, rescue the prisoners. The governor fitted out the friendly Indians with a number of ponies and a number of sacks of flour, together with many trinkets of Indian character, that they might barter with the captors for their captives. These friendly Indians set out on their errand of mercy, and after wandering for some time through northern Dakota, they struck their trail and came upon them, but too late to rescue one of the captives. Mrs. Noble, who had become very despondent, and who for days had yearned for death to release her from her condition, had sometimes aggravated the savages, with the hope that they would shoot her. The day prior to the arrival of the friendly band, she was sitting on the ground, moaning most pitifully, when an Indian who stood next to Mrs. Marble leveled his gun at Mrs. Noble and fired. The ball crashed through her half-crazed brain. Her troubles and sufferings on earth were now at an end, and her spirit winged its way to Him who gave it.

Depression, gloom, and sadness now fell with a more crushing weight upon the hearts of the two remaining captives, who were expecting at any moment to share the same fate. Fortunately for them, however, the friendly Indians arrived the next day, and after some considerable parleying, they succeeded in purchasing the prisoners, giving in exchange for them the ponies, flour, &c. brought with them. Imagine the joy, if you can, of these two remaining captives, when they were informed of their ransom and liberty, and that they were again to be returned to homes and friends. It was with some difficulty that they could realize the fact.

Their benefactors at once set out with them for the Winnebago Mission, in south-west Minnesota, where they arrived in a few days, and were very kindly received by the Christian missionary and his excellent lady. Here they remained for a short time to recruit their wearied frames and broken spirits, when they left for St. Paul; but, before leaving, the

missionary's lady gave each of them a calico dress and sun-bonnet, which they gladly accepted, and for which they left in exchange their Indian rig.

On their arrival in St. Paul, the most heartfelt sympathy was manifested by the citizens. Hundreds crowded the hotel where they stopped, to offer their congratulations and express their sympathies. Mrs. Marble's mind was in such a delirious condition that she felt herself incapable of receiving company, and went to her room and closed the door against all visitors, as she said she did not want to be an object of curiosity for so many strangers, not one of whom she knew. After a few hours of seclusion, Wm. Granger, brother of the murdered Granger before spoken of, who then resided in the state of Michigan, and who happened in St. Paul at that time on business, hearing that Mrs. Marble was there, called at her room to see her. She refused him admission until he informed her who he was, that he had been acquainted with her husband, and had seen her at Spirit Lake, when she readily admitted him.

"My joy," said she, "was indescribable to meet with one person whom I knew. It seemed as though my heart would leap out at my mouth."

Mr. Granger said that he soon discovered her mind was much out of balance, and that she looked very much dejected and broken down. He asked her where she expected to go, &c. She replied, that she did not know; that she was homeless, and knew not what to do. He told her, that if she would go home with him, his house should be a home for her while she lived, should she wish to remain with him. She accepted the offer; but before she left, which was some three or four days, the citizens of St. Paul contributed \$1000 for her and \$500 for Miss Gardner. When the money was placed at her disposal, she said she did not know what disposition to make of it, when a banker in St. Paul called upon her and kindly proffered to place it in his bank, subject to her order at any time that she might see fit to draw on him for that amount; which she did, and in about three days after she had made

the deposit, the bank failed, and she lost the last dollar of it. Such was the indignation of the citizens of St. Paul, that it was with difficulty they could be restrained from mobbing the bank. Grim misfortune still followed on her track.

Miss Gardner returned to her people, in Iowa, where, in two or three years later, she married and moved back to Spirit Lake, where now, I think, she resides.

Mrs. Marble accompanied Mr. Granger to his home in Michigan, where she was treated very kindly. Mrs. Granger informed me, that when Mrs. Marble came to her house, her mind was very much impaired, and, at times, reason appeared partially dethroned, and she became very troublesome, and required close watching for fear that she would commit self-destruction. She would occasionally take the rifle and go to the woods and bring down a squirrel from the top of the tallest tree. She was well skilled in the use of firearms, and was an excellent shot.

In a few months her shattered mind began to improve; she was soon herself again. It was quite seldom that she could be induced to speak of her captivity, and when she did, it was to those of her intimate friends among her own sex, never conversing with a gentleman upon the subject. After she had recuperated in mind and body, she went on a visit to her parents, in Ohio. After remaining a few weeks, she returned again to Mr. Granger's house, which she now seemed to recognize as her only home.

Granger was a cunning and crafty man, and by no means honest, as the sequel will show.

In 1858 or 1859, he removed to Spirit Lake, Iowa, and took a claim on the south bank of West Okoboji Lake, Mrs. Marble accompanying the family. Settlers were now pouring in very rapidly; so much so, that no danger was apprehended from the savages. Granger sought out those who had lost friends and property in the massacre, and soon succeeded in ingratiating himself in their good opinion, and then proffered his services to assist them in recovering a damage off of the Indians, through the government. He succeeded

in obtaining powers of attorney from several to prosecute their claims. Among the claims was that of Mrs. Marble, who had unlimited confidence in G. and now looked upon him as a father. Granger, now being fully prepared to collect his claims, set out for Washington, where he arrived in due time and laid his claims before the proper authorities, and in the course of a few months he succeeded in collecting the most of them, which were deducted by the government out of the annuities of the Indians. When he returned to Spirit Lake, he reported the want of evidence in some cases, and delays on the part of the government in others, &c. while some few had been partially paid. In a few months he again returned to Washington to further prosecute the collection of claims. When he returned, he reported to Mrs. Marble that Marble had another wife living in Ohio, whom he had married previous to marrying her, and that she had applied for the claim, and had succeeded in getting it out of his hands, and that she need not expect to realize anything. In a conversation with Mr. G. he made the same statement to me.

This was a crushing weight to Mrs. M. Sad misfortune still seemed to follow on her track, and plunge its bitter shafts into her bleeding heart. She could not for a moment allow herself to think that he whom she had so tenderly loved, and whose death she yet mourned, could have thus deceived her nor could she think that he whose roof sheltered her, and whose hospitality she so long had shared, could or would thus traduce and malign the character of her deceased husband, and abuse the confidence that she had placed in him. She sorrowfully pondered these things in her grief-stricken heart, and gloomily brooded over them for months, earnestly and prayerfully trusting that facts might yet come to light that would vindicate the character of her departed husband.

As before stated, Granger removed to Sioux City, and while there he took into his employ a young man by the name of Oldham, an industrious and honorable man. After a few months' acquaintance, an intimacy sprang up between

Mr. Oldham and Mrs. Marble, which was of a reciprocal character, and seemed to say that at no distant day the twain should be made one flesh.

Granger, after remaining here about one year, removed to Bonham, in Dakota territory, or in that vicinity, Mrs. Marble and Oldham going with him. Soon after his removal, Mr. Oldham and Mrs. Marble were married. Soon after their marriage, Oldham became somewhat suspicious of Granger's conduct in reference to the collection of his wife's claim; feeling confident that there was "something rotten in Denmark." He accordingly wrote to the department at Washington, and was soon informed that his suspicions were correctly founded; that \$1500 had been allowed her, and that some months previous it had been paid over to Wm. Granger, her agent, whose receipt they held for the same; and that as for another Mrs. Marble applying for the claim, it was utterly false. The truth was now brought to light, and base treachery exposed. Granger, on learning that his tracks had been unearthed and his villainy exposed, and fearing he would in all probability receive the severe penalty of the law, at once hastily arranged his business matters, and gathering up his effects, decamped with his family, leaving the territory and going somewhere east.

These facts were given me by Mr. Oldham in person. In the fall of 1864 I met Mr. Oldham and lady in Sioux City, on their way east to visit some of their friends, and thought that in all probability they would not again return to reside in the west.

Such is a brief and imperfect history of the checkered life of a frontier woman who drank deeply of the cup of misfortune and affliction. But this is only one instance out of many that occur in a frontier life. Could all the facts in relation to the many cruelties and atrocities committed by the savages on our frontier settlers be spread out to the world, they would be found to have originated from the base and villainous conduct of white men, who are a disgrace to their race, and worse even than it is possible for a savage to be.

THE MUSQUAKAS OF TAMA COUNTY.

BY JOHN DOE, M. D., IOWA CITY.

I thought it might be well to sketch a few incidents in the early history of Tama county.

On the south bank of the Iowa river, near the western border of the county, where bluff, bottom, river, and timberland all blend into a beautiful landscape, is now the somewhat dilapidated village of Indiantown. Here, upon the interval near the bank of the river, was a settlement or colony of Musquakas, that gave name to this settlement of the white man. These Indians, according to certain treaty stipulations, were required to leave for the more distant west, and to enforce their removal, a company of United States troops were sent out, who, on arriving at the place, planted their cannon on a neighboring bluff, ready to enforce their order.

Here was real trouble for the poor Indians. It was true, such a treaty had been gotten up, somehow, but they did not consider themselves a party to the contract. They were innocently there, where game and fish were plenty, where springs of pure water flowed from the sides of the bluffs, where the tortuous Iowa ran silently by their cabins, where a broad belt of timber furnished poles and bark for their wigwams, and fuel for their fires, and where were a healthful climate, fertile soil, and a variegated landscape scarcely surpassed in the west. On the north side of the river was an opening in the timber, where the squaws had raised several acres of excellent corn, which was now in the milk, ready to be gathered and dried for winter's use. It was sad to leave all these, but a power greater than they compelled submission. A few white men settled in that vicinity about the time the Indians left, and the writer has heard them say, that, although it was for their interest to have them go, yet they could not help pitying them as they went. The corn-field they so reluctantly

left, became the great rendezvous of game the following winter, and it was there the settler bagged many a wild turkey with which he supplied his otherwise scanty table.

In September, 1855, the writer first visited this settlement. The Indians had returned, and for some time had been occupying their old camp-ground on the banks of the river; while the whites had commenced their town at the foot of the adjacent bluffs. Here the two races were living in peace, and while the white man seemed to be a protection to the Musquaka against his inveterate enemy, the Sioux, the Indian afforded some variety to the incidents in the life of the few pioneers.

Sometimes the Indians would be greatly alarmed at the supposed approach of the Sioux. An instance of this kind occurred in the fall of 1854. Hon. P. Helm, the hotel-keeper of the settlement, was awakened in the small hours of the night by his old friend Pat-a-ka-too, who whispered to him that the Sioux were coming, and requested him to explain matters to his comrades, so that they need not be alarmed should they hear discharges of musketry; intending by this to assure the whites of their friendship, and the danger threatened both parties by their common enemy. In his true Indian manner, he had entered the house, climbed a ladder to the chamber, whose floor was loose boards, and delivered his message without awakening any one but Mr. Helm, though many travelers were lying on the floor promiscuously, as was usual in the early days of immigration. On the next day, a few whites and many Indians, all mounted and armed, set out in search of the formidable Sioux, and after scouring the prairie for some thirty miles around, and finding no foe, they returned to the settlement, led by the redoubtable T. D. H. Wilcoxen, Esq., resolving that they "would have peace." From that time forward, so far as I can recollect, peace reigned within their borders.

In those days, the majority of the Musquakas living on their reservation in Kansas, received the annuities awarded to their tribe by the government, while those living in Tama

county received nothing, but in their yearly visits to and from Kansas, they are said to receive many valuable presents from their Kansas brethren.

Though the Sioux were a source of great fear to them, as previously stated, yet they really did not disturb their colony, so far as I know; while their friends the Winnebagoes, from the north, would occasionally visit them, express much friendly feeling, and then steal many of their ponies as they left.

About the year 1859, the Indians purchased eighty acres of land lying on the Iowa river, about five miles below their old ground. To this place they removed, built their village of bark cabins, and make it, to this day, their summer residence, while the winter is chiefly spent on the Cedar river. They have recently had an agent appointed by government, which, I suppose, entitles them to annuities, so long and so much needed. They are fast passing away; the braves that Black Hawk led on to battle have disappeared, and the whole tribe will soon be extinct. Their number has diminished more than half in the last fifteen years; and I am pleased to see that my friend J. A. Wetherby, artist, at Iowa City, has commemorated on canvas, Tama (Tahoma), Appanoosa, and others. But of all their braves, Pat-a-ka-too was the most to be admired — noble in action, strong in his influence for peace and temperance, he gained friends wherever he was known.

Mr. Wheaton Chase,* who was Black Hawk's interpreter when he went to Washington, is now living in Tama county, I suppose, and is better informed respecting the history of this remnant of a tribe than any other person.

I will finish this sketch by a few words respecting their manner of burying the dead. Sometimes, in their haste, they would hang the body high up in a tree, and there leave it to decay; but generally they buried them with some funeral ceremony. The writer has often looked from his house, situated on one bluff, to an Indian burying-ground on

*Since writing the above I have learned of the death of Mr. Chase.

another bluff, some half mile distant, to see the squaws perform their rites over the graves of their friends, at their annual visitations.

After fitting up the graves and shaping the turf, they would place some little memorial on the mound, and then sit down with their heads bowed, like the captive women of Judea, and remain in this position for an hour or more.

What could be the thoughts of such a rude daughter of nature, as she sat there? She could see that the last resting place of her deceased friend was in the corner of a white man's plow-field; that all the country around was fast filling up with strangers, and that soon there would be no place left for her and her people; and then her thoughts would wander naturally away to the hunting grounds of the dimly-distant spirit land, and as she recalled the memory of her friends that had gone before, she would pray that she, too, might soon be there, where the wicked cease from troubling and the weary are at rest.

HISTORY OF MARSHALL COUNTY.

BY NETTIE SANFORD, MARSHALLTOWN, IOWA.

CHAPTER I.

Prior to the settlement of Marshall county by the whites, it was inhabited by the Sacs and Foxes, remnants of powerful nations presided over by the far-famed Black Hawk. Their descendants are still living a nomadic life, roving over Iowa, Nebraska, and Kansas, but receiving their annuities from the government upon their reservation in Tama county, near the western boundary. They now call themselves the Musquaguas.

In the winter of 1847-8, a body of Mormons, in their flight from Nauvoo to Salt Lake, camped and stayed through the winter in the forest north of the place where Marshalltown now stands. Bringing but a small portion of provisions necessary, famine and disease attacked them, and many perished. So straitened were they, that peeling the elm trees of the bark, they found a substitute for bread. In the spring following they folded their tents, placed the early spring violets upon the brown sods of their companions' graves, and planted their church standards beyond the Missouri. A few stragglers of this modern crusade built cabins near Council Bluffs, and made permanent homes afterwards.

The first permanent settler in Marshall county was Joseph Davison, who came to Le Grand township in 1847, but soon after, his brother, William Davison, came and built a cabin in the same neighborhood.

In 1848, Joseph Ferguson and Josiah Cooper made a settlement on the south side of the grove between Middle and South Timber creeks, in Timber Creek township. After this, a few pioneers came into the neighborhood, and others into Marietta, Iowa, and Marshall townships; so that in the summer of 1849 the county was organized — J. M. Ferguson acting as sheriff, and J. Hobbs was appointed judge.

In July of 1851, the first court was held, in a little log shanty near the edge of the forest, where Col. Shurtz now lives, north of Marshalltown. The grand jury met in the bushes near the slough, and these representatives of justice were in session only ten minutes. How the merry squirrels and gophers must have laughed in their sleeves at the solemn faces of the jurors who had "nothing to do"!

This (the first District Court) was held at the cabin of Mr. William Ralls, one of the first settlers of Marshall township. Judge McKay, of Des Moines, was on the bench. Several lawyers, afterwards of great renown, were there interested for their clients. Lieut. Gov. Eastman, in those days called "Uncle Enoch," made himself quite popular mowing hay for the horses belonging to this august body, as well as ex-

pounding law and equity to the pioneers. SeEVERS, of Oskaloosa, laughed at him, as he came around a heavy winrow with his glittering scythe. "Why, Uncle ENOCH," said he, "you make better winrows than speeches." Cassiday, of Polk, who now ranks high in the profession, was in attendance; also a young greenhorn by the name of Young.

As the family of Mr. Ralls lived in the court room, comprising dormitories, kitchen, and dining hall, there was but little room for forensic display or ceremony. Mrs. Ralls cooked the meals of the distinguished gentlemen by a chunk fire, out of doors, yet the smoke interrupted the dignity of the court several times. When night came on, attorneys Eastman and SeEVERS climbed the pole ladder of the little cabin, and slept in the loft. They looked rather undignified as they slowly swung themselves over the heads of the family; and as Eastman went *up* he looked *down* at the cradle, rather a primitive one, made of oak splints. "Well! well!" said he, "that looks like the running gear of a bear's nest."

Zeno Freeman was the first treasurer of Marshall county; John Amos, Greenbury Ralls, William Ballard, county commissioners; and Jacob Hauser, clerk.

At this term of court there were only two cases upon the docket — one by change of *venue* from Hardin county, and a divorce suit between Wm. Davison and wife. People had domestic *jars* then as now.

Mrs. Davison remarked, as her husband rode up on horseback to attend court: "La! Mrs. Ralls," leaning out of the window, "old Billy thinks he's goin' to git a divorce *enny-how*. See! how straight he *sets* up!"

The town site of Marietta was located this year (1851), and the commissioners appointed by the legislature, passing over some eligible situations, but finding this place so near the geographical center of the county, located the county seat there. The town was surveyed by Messrs. Hobbs and Dawson, and, after the action of the commissioners, immigration gave an impetus to town lots, and prospects were bright for a young city.

Mr. Wm. Dishon, from Oskaloosa, brought the first stock of goods to the county, and commenced business here. He was also the first postmaster. Mahlon Collins followed, soon after, with a lot of yankee notions; then a merchant by the name of Darlington, also had a little store. Quite a number of Quakers settled about Marietta, giving a high moral tone to the community.

This year was known as the rainy season. Torrents rushed down where rills had been, carrying off bridges, so that it was almost impossible to travel in any direction.

CHAPTER II.

We turn a leaf backward in the history, and learn of eye witnesses of what is called the Indian war of 1850.

Through the month of May there had been some little trouble between a son of William Davison and the Musquas. Being in close proximity when the Indians were on their reservation, the red men became jealous of the whites in their encroachments upon their hunting grounds. Saucy threats were of an every-day occurrence. The Indians, passing one day Mr. John Campbell's claim, killed some of his hogs, drove off a few head of stock, and pointed their guns at him in a wicked style, as if "they meant business." They had war-dances, were armed and painted for fight, and threatened death to some of the settlers every day. Davison burned corn belonging to the Indians, intending to exasperate them, and have "a little brush," when he expected the United States troops, stationed at Fort Dodge, would drive them out of the county. Of course, he was ignorant of the fact, that Congress settled such difficulties, and not soldiers. But the commander at Fort Dodge sent word to the scared settlers, that they must protect themselves or remove from the vicinity. Giving up their claims and summer crops was not to be thought of, so they concluded to build a fort,

or stockade, near a Mr. Robinson's, now called Burke's Hill. It was begun on the 11th of June, and occupied as soon as it was finished, and may be remembered in the military annals of Iowa as Fort Robinson. In this, twenty-four families took refuge, leaving their little cabins, crops, etc. to the tender mercies of the Musquaquas.

The stockade was ninety feet square, built of puncheons, driven like posts into the ground, the fort walls being ten feet high. Away from the forest, the only chance for the red man was to scale the walls; but in that case, the settlers were to be ready, not only with guns, but the women were to make their broomsticks fly around lively. The pioneers brought in their furniture and provisions, but kept the cattle stationed outside, tied by the horns to the walls. An occasional dog crept in; the sound of women's voices was heard, directing their domestic concerns; and, with over thirty children, there was no lack of music, even if the young calves outside were silent.

How weary the days passed along, with nothing to break the *ennui* but the fear of Indians — patching coats and washing dishes; there was plenty of work after all. Their tents were made of wagon covers and old quilts. They had a few chunk fires in common. Each family had their own table, and rough fare placed upon it. Corn-bread, from pounding the kernels in an old kettle, wild meat, coffee, without sugar, and a little butter, made up the bill of fare — somewhat different from Delmonico's.

On the fifth day of the siege, Wm. Smith and John Campbell went down to the Musquaquas' camp, as detectives. They found large camp-fires burning, and six kettles, placed in a row, partly filled with water. Peeping carefully through the bushes where they were concealed, a little way farther on, six large dogs were hung by the necks to the limbs of a tree. Here the warriors of the tribe danced around for two hours, brandishing their war-clubs, and looking fierce enough to eat up the whites of the settlement. After the perspiration had washed their faces of the paint, and they seemed pretty

well exhausted, the squaws threw the dogs into the kettles, where a sort of stew was made, in the style of Macbeth's witches, only this was all *dog*. The beldames dished it out to the panting warriors, sprinkled a little sugar over it, and it was a feast, so far as satisfaction was secured. There were a good many warriors to be seen, and it looked dark for the little handful of men in the fort.

The next day Campbell and Smith were out watching, when they met four different parties of Indians, well armed, who stopped the white men, with their guns, and interrogated them as to the number of men in the fort. They answered: "Big heap white men—come away off." This seemed to drive the Indians back for that day.

In a few days the braves came again, and asked Captain James Logan, the commander of the fort, "How many?" He, of course, exaggerated the number of men and arms, talked of the "big chief" at Fort Dodge, and "Sioux, heapy." This sent them away sullen, yet they did not attack.

A few days after this, Wm. Davison, thinking it would be a nice thing to test the courage of the garrison and commander, laid a plan for a sham attack. The night-guard was Wm. Asher. Davison let him into the secret, and Jack Braddy, he being a good shot, and a courageous sort of a man. Davison went up the hill back of the fort, where some of the cattle were tied, and raised a stampede among them. The cow-bells jingled at an awful rate; reports of guns were heard, as if there were many braves in the distance; the sleeping garrison aroused themselves to the dreadful emergency of meeting the Indians. Poor old Mrs. Robinson yelled out, as if in a Methodist camp-meeting: "Oh! Lord, I have tried to live in thy service, but I find I've not enough religion to die by. Give me more, Lord, *deu*, please."

There was, of course, a terrible excitement. The men grasped their guns, while the women hushed the little ones, and prayed, without preface or introduction, "Lord save us." Logan acted very well, and most of the men, Braddy and Asher laughing in their sleeves at the fun.

Finally, about daylight, there being no moccasin print or feather seen above the walls or about the stockade, the garrison concluded they had been *sold*. The scamps of the *fasco* let the secret out, and indignation ran high for awhile, as a lady nearly died from fright. There being no physician within fifty miles, matters looked dismal for the jokers. After quarreling two or three weeks over this and some other annoyances, the settlers concluded to leave the fort, and trust to Providence for protection from the red men.

Cowed by menaces from Major Williams, from Fort Dodge, and other persons from Des Moines, the poor Musquagua resigned himself to his fate, and peacefully withdrew, leaving the beautiful Iowa valley to the plow and primrose of the pioneer.

CHAPTER III.

We have already traced the events of the years preceding 1852, and in repeating the story of hardship and annoyances to the settlers locating towns, we have nothing sensational, nothing but "the simple annals of the poor." Immigration came in covered wagons, with the chickens in a box over the hind-board of the wagon; tow-headed children in front; boys driving cows; and even girls were seen *patting* along in the path, whipping calves along, and cows, too.

Albion was laid out and surveyed in August, 1852, by George W. Voorhees and Thomas Brown, and was first called Lafayette, which name it bore till 1858, when it was changed to Albion, there being another town named Lafayette on the Des Moines river, in Polk county.

Albion is situated on the east side of the Iowa river, seven miles north-west from Marshalltown, and has a fine location. Among the earlier settlers was Martin Perigo, who commenced business in merchandise, realizing a handsome fortune. Jotham Keyes came the year 1853. Attorney T.

Brown, now one of the best criminal lawyers in the state, commenced his legal career in Marshall county here. He formerly lived in Tama county. Mr. Abram Stanley has made a large fortune here, a prominent merchant, and a liberal man in aid of colleges, railroads, etc.

Le Grand was laid out a little later than Albion, by James Allman. This village was too near the edge of the county to hope for the capital, but it lay near the great quarries of limestone rock and variegated marble, so that its resources for building material were considered better than those of any town in its vicinity. Ten years after its christening, when the Northwestern Railroad built up towns along its line, Blair's cupidity determined the company to build its station house two miles away from Le Grand, thus leaving "Cobtown," as her enemies named the unfortunate village, out in the cold. This was exceedingly aggravating, as prominent citizens had donated twelve thousand dollars to the company, with the understanding that a depot was to be built within the corporation limits. Their chagrin knew no bounds, when they found that the company did not recognize verbal contracts.

In 1864, the New Light church of Le Grand, with the help of the same sect in other places, built a fine college building, and opened, the next year, under favorable auspices. Prof. James Guthrie, of Antioch College, Ohio, was the president. For a time the institution seemed a success; but upon the death of the president, and from other causes, the college has closed its doors, and one of the best buildings in the state is tenantless, and students are going elsewhere to gain instruction. Le Grand did nobly in the war of the rebellion, and in sanitary aid for the same was in the foremost ranks. It is a village of, perhaps, three hundred inhabitants, and in the midst of a most healthful, prosperous community.

Le Grand, in 1856, had an excitement upon the "woman question," exceeding the discussion now-a-days. A saloon was opened by some vile wretch, and after vending his abominable stuff for awhile, the ladies concluded to use force, as

pleasant words had been exhausted. A party of nine ladies entered the doggery, and while some were engaged in knocking in the barrel-heads with axes, etc. Mrs. Jack Wheitzell threw out of doors brandy bottles and tumblers, and then taking the "saloon man" by the nape of the neck, sent him out after them. She was a strong, muscular woman, weighing two hundred pounds, and the whiskey-seller made but little resistance. The whole concern was demolished, and no other of the kind ever lifted its demon front in the village until the days of drug stores. These ladies were arrested and brought before Justice Yeamans, of Marshalltown, who had them in court three days, but after a wonderful array of witnesses and legal talent, they were released from some flaw in the indictment. The next day they were to be brought again into court for breaking the peace; the constable hunted high and low for the energetic dames, but they had disappeared into Tama county, like Venus into the foam of the sea.

We go back to Albion, and in rummaging old files of newspapers, the *Iowa Central Journal* makes its appearance. It was established in 1855, by Prof. T. J. Wilson, an able scholar, and was the first journal in the county. Prof. Wilson, now deceased, was a man of enterprise and pleasant courtesy, while literature, schools, etc. found a warm place in his heart. While crossing Linn creek, in the discharge of his duties as superintendent of public instruction, he lost his life by drowning. The *Iowa Central* speaks glowingly of a celebration on the fourth of July, 1855. Dr. Hixon, of Marietta, delivered a fine oration, William Ballard and others performed the Star Spangled Banner, and the multitude enjoyed the programme, especially the dinner.

Prof. Wilson sold out the paper to E. N. Chapin, a terse, keen writer, the present editor of the *Times*, who associated with him in the enterprise Mr. R. H. Barnhart, a local editor of fine ability. The paper had many a round with the Marietta *Express*, that was established a little later by Thomas High and A. J. Kenney. Marietta and Albion were rival

towns, with a secret hate for a long time before it showed itself in the journals or in public meetings.

It is time to write on these leaves the beginning of Marshalltown, which was such an eye-sore to Marietta, a rival that finally ate her up, as the giants in the fable. The quarrels of these towns, with the incidents thereof, would fill a volume.

Marshalltown was laid out by Henry Anson, Esq. in the summer of 1853, the year after Albion and Le Grand, and two years after Marietta. Anson had a claim which was bounded north by Main street, that he built a cabin upon in 1851, entering the claim at Dubuque the same year. The town was named Marshall, but it was found that there was another post office by that name in Henry county, so the *office of town* supplied the name with an awkward handle, but significant in an early day.

Many of the settlers in the township were border-men, who now are fighting Indians and wolves on the confines of civilization; who lived in cabins with the doors open through the winter to let in the blessed sunlight; and when Mr. Anson put in a window to his house, it made much comment through the settlement.

Mr. Anson is a man of great energy of character; and in naming him the founder of Marshalltown, no one need think the term misapplied. He was long justice of the peace, and built the first saw-mill in the county. Such an enterprise, when the machinery had to be hauled two hundred miles, and no money to be had from the settlers, was no small matter. It was of great benefit to the community. When the Cedar Rapids railroad was to be built, no one in the vicinity can forget his untiring efforts to obtain the assistance needed to bring the enterprise to a successful issue.

(To be continued.)

GENERAL JOHN EDWARDS.

We present in this number a portrait of General John Edwards, whose countenance will at once be recognized by many of our readers who account themselves as elder citizens of Iowa.

He was born, October 24, 1815, in Jefferson county, Kentucky, almost within the present boundaries of the city of Louisville, and near the childhood home of old Zack Taylor, twelfth President of the United States, and is at this writing just fifty-five years old. His father, whose name was also plain John Edwards, was one of the earliest pioneers of Louisville's immediate vicinity, and had acquired, before he of whom we write was born, a large and valuable tract of land, part of which is embraced in what is now the suburbs of that pleasant city, and extending from Bear Grass creek for several miles on the Lexington road.

Besides his domain near Louisville, the elder Edwards owned a large extent of rich bottom land in Lawrence county, Indiana, near what is now Lawrenceport, near White river, which he gave to the subject of our sketch when the latter had attained his eighteenth year, and had acquired such education as the schools of Louisville then afforded, on condition that he should occupy and improve it. These terms were gladly acceded to by the son, who, even at that early age, had discovered a prejudice against slavery, and longed to begin his career under the auspices of impartial freedom, but soon after found himself captured and bound by Cupid, who, at that remote period, had already forced his way to the banks of White river. The upshot of this was, that young Edwards, shortly after his removal to Indiana, was wed to Miss Eliza, daughter of Marcus Knight, who had immigrated there with his family from Kentucky, and was an early pioneer of Lawrence county.

Soon after his marriage, General Edwards removed to Bedford, the seat of justice of Lawrence county, and for several

years was engaged in the shipment of cattle and produce, by flat-boat to New Orleans, after the manner of "Honest Old Abe." Finding it unprofitable to carry on his farm and live at the county seat, he soon after removed to Lawrenceport, within one mile of his farm, where he resided till 1849, carrying on his trade in grain and stock by boating from his farm to New Orleans.

In 1849, he took four young men (two of whom had served him faithfully on his farm), fitted them out, and went with them to California, where he arrived with the first ox-train that reached the El Dorado that year. His first stopping place, with a view to mining, was Nevada Gulch, where he had remained but a short time when the miners of his district elected him to the *Alcalde*. He was one of the founders of Nevada City, and built the first hotel in that place, in co-partnership with a lawyer from Illinois named Ellis. This hotel, with the whole town, was shortly afterwards destroyed by fire, and General Edwards barely escaped with his life, the clothes on his back and five dollars, all else that he had brought to or acquired in California being consumed in the flames.

He remained in California, performing the functions of a judge, or in law practice with his partner, Ellis, until 1852, when he was called home to Indiana by the illness of his wife, whose precarious state of health forbid his returning to the "Golden State," as he had intended.

The same year that he returned from California, the whig party in Lawrence county nominated him for the state senate, against Gen. Ben Newland, and notwithstanding a democratic majority of three hundred in the county, he was triumphantly elected over his opponent by a handsome majority. But this was no great feat for Edwards to perform; for he had, previously to going to California, been elected to the lower branch of the Indiana legislature, as a whig, in the face of a strong majority of the opposite party. It must be recollected that "Harry of the West" held sway in those days in Kentucky, and the great majority of the politicians

hailing from the land of Boone, were of the same political faith as the great orator of Ashland. It is, therefore, by no means surprising that General Edwards began his political life as a whig, as was his father before him.

At the death of General Edwards's father, which occurred in 1840, in the distribution of his many slaves among his children, he bequeathed, in his will, a family consisting of a favorite man-servant, his wife and several children, to his son John. But General Edwards had lived too long in a commonwealth of universal freedom to accept such a legacy for his own benefit. He therefore took his slaves to Indiana, emancipated them, and made liberal provision for them for life. As before stated, he entertained an aversion for slavery in his youth, which ripened into hatred from seeing the enormities and brutalities of the "peculiar institution" on his boating trips to the more distant south, on each return from which he would implore his father, by letter or orally, to manumit his slaves.

In 1853, General Edwards removed from Indiana to Iowa, and established his home at Chariton, in Lucas county, and in 1856 was elected to represent the ninth senatorial district (embracing Lucas county) in the constitutional convention, which met in Iowa City, January 19, 1857, to frame the benign constitution under which the happy people of Iowa are even unto this day panoplied.

As a member of the constitutional convention, he took a prominent and leading part in framing the present organic law of our state, serving as chairman of the committee "On right of suffrage." There was, perhaps, no subject considered by the convention which elicited so much, and such angry, debate as that assigned to this committee; for it opened the whole question of African slavery from the establishment of the federal government to the middle of the present century. In all these debates General Edwards was an eloquent participant, in favor of the most liberal and judicious measures which in that dark, though so recent, age could be projected to pave the way toward impartial suffrage, and in the course

of one of his speeches making the following prediction, which has since been fully verified: —

“I have hoped, and I hope yet, the day will come when the fetters shall be stricken from all this unfortunate race. Aye, and the day will come, as sure as there is a just God in heaven. And the unfortunate colored man, who was stolen from his native land, and is now suffering under the yoke of oppression and bondage, will some day receive justice, and when that justice is meted out to him, heaven grant that this nation does not suffer.”

General Edwards also served three terms in the legislature of Iowa, and was Speaker of the House of Representatives at the breaking out of the rebellion.

It was while a member of the Iowa legislature that he received from the democratic members and press the *sobriquet* of “Honest John.” It occurred on account of a charge made by him of ten or fifteen dollars for examining into the school fund of three counties, and representing to the legislature the condition of the same, while the most of those appointed to perform the same service for other counties, had charged the state from fifty to a hundred dollars, and in some instances more.

In June, 1861, General Edwards’s military career began, by his receiving a commission as *aid-de-camp* to Governor Kirkwood, with the rank of lieutenant-colonel, the first appointment of the kind which was made, and under which his chief duties were to keep the rebels on the southern borders of Iowa in subjection. This he did pretty effectually, twice marching his troops far beyond the northern boundary of Missouri, through nests of armed revolvers. So well did he perform this difficult task, that, a year later, Governor Kirkwood made him a full colonel, and gave him command of the eighteenth Iowa infantry. His service as colonel of this gallant regiment was mostly performed in Missouri, where he rendered valuable assistance to the Union cause in many minor actions, and conspicuously distinguished himself for courage and good generalship at the battle of Springfield.

Here, with his own regiment, three companies of raw Missouri militia, and a few score of sick, altogether aggregating less than a thousand men, he utterly routed and completely foiled the rebel General Marmaduke, who, with a force more than double that under Edwards, had come to take the town. In August, 1863, while still colonel of the eighteenth, he was assigned to the command of a district in Missouri, and the following October marched into Arkansas and captured Fort Smith, which, before the war, had been selected on account of its strength as a United States military post. It was now, by a field order, re-established as a post, the command of which was assigned to General Edwards, as a mark of approval for his gallantry in capturing it. Commanding a brigade, he took a valiant part in many of the affairs fought in Arkansas, in 1864, including the battles of Prairie d'Anne, Camden, and Saline river; in recognition of which he was promoted by the president to the rank of brigadier general.

In military administration, as in civil service, he was characterized by stern integrity and strict justice, that left no room for suspicion of a weakness for cotton, which, during the rebellion, sullied the escutcheons of so many of our military commanders. While just to the government he served, it is an evidence of the leniency he accorded the conquered who found themselves under martial law as administered by him, that, at the close of the war, after retiring from the army, he made his home at Fort Smith, Arkansas (a town he had captured and commanded), where he still resides—secure and respected as an unarmed citizen among those he had subdued, where, while surrounded by body-guards and regiments, his life was in danger from the cotton-thieves and speculators he had warned and forbidden.

The war being over, President Johnson appointed him a revenue assessor for the district including Fort Smith, which office he relinquished on the accession of the present federal administration. As before stated, he is still a resident of Fort Smith, which forms a part of the third congressional district of Arkansas, and, true to those instincts of independ-

ence and patriotism which have caused him formerly to be denounced in the place of his nativity, by his fire-eating relatives, as an *abolitionist*, and more recently by the extremists of the dominant party as a *conservative*, he is now canvassing his district as an independent candidate for congress.

In person, General Edwards is of medium size, warm and genial in manner, with a pleasing cast of features, which, we regret to say, is not well portrayed in the engraving. He has a number of children, some of whom are happily married and settled in life. It is to his son, E. E. Edwards, of Chariton, Lucas county, and to his son-in-law, Dr. H. H. Maynard, of Tipton, formerly a surgeon of the eighteenth Iowa, but now the leading physician of Cedar county, that we are indebted for most of the facts relating to General Edwards's private life contained in this sketch.

PIONEERS OF MARION COUNTY.

BY WM. M. DONNELL.

(Continued from page 253.)

CHAPTER XIII.

LIST OF COUNTY TREASURERS. — THE STANFIELD DEFALCATION.

— ROBBERY OF THE TREASURY IN 1867.

The following is a list of county treasurers from the organization of the county till the present date, — 1870: —

David T. Durham, elected September, 1845; re-elected August, 1846, and served till August, 1847. Isaac Walters, from August, 1847, to 1849, and re-elected from that until 1851. Claiborn Hall, 1852 and 1853. David Stanfield, 1854, 1855, 1856, and 1857. William Ellis, 1858, 1859, 1860, and

1861. A. H. Vierson, 1862 and 1863. Emery F. Sperry, 1864 and 1865; during the last year of which term Edwin Baker served. William T. Cunningham, 1866 and 1867. Edwin Baker, 1868, 1869, 1870, and 1871.

During this period the treasury suffered twice from robbery; the first time by defalcation at the close of Stanfield's second term; and the second time by burglary, during the second year of Cunningham's term. The history of the first is briefly as follows:—

At the August election, in 1847, Mr. Stanfield, being a candidate for a third term, was defeated, and his successor (as the custom then was) entered upon the discharge of the duties of his office as soon as the result of the election was known; and on settling up the affairs of the office a default of \$4,546.20 was discovered. So soon as this discovery was made he was arrested, and an indictment was found against him at the September term of the District Court. Upon this, judgment was rendered against him and his securities for the amount. Of this amount, his assignee, C. G. Brobst, paid into the treasury in cash, notes, and judgment \$2,206.93, leaving a balance of \$2,339.27 due the county.

Mr. Stanfield seemed profoundly ignorant of the manner in which the loss occurred, and persistently denied his participation in it; and, as the affair was, to some extent, a mystery, many persons doubted his guilt, and some even believed him entirely innocent. It was for some time a subject of a severe partizan warfare of words, in which the *Journal* and *Standard* participated vigorously, firing weekly volleys of hot shot into each other's camp, without, however, gaining any apparent advantage for either side.

In October of the same year, Mr. Stanfield moved to Kansas, where, late in the fall, or during the winter, he was followed and visited by Dr. Patterson and James Walters, who, on their return, reported that they had found him living in almost extreme poverty, apparently confirming the truth of his plea of innocence. In consequence of these facts, no attempt was made to prosecute the case further; and, in 1867,

in response to a petition of a majority of the citizens of the county, the board of supervisors released the bondsmen of David Stanfield from their liability, thus finally ending the trouble.

The second robbery was one of much greater magnitude, and proved a total loss. It occurred on Saturday night of February 9th, 1867, or very early on the following morning, but was not discovered till about 8 o'clock, when it produced a sensation quite unusual for the time and place.

It was known that the treasury contained a large sum, and it was at first supposed that it had all been taken, and exciting stories of the robbery,—the manner in which it was effected, and the magnitude of the loss,—were verbally reported through the county before the facts were fully ascertained. For a detailed account of the affair, we quote the following from the *Marion County Republican*, of February 12, 1867:—

“On Saturday night last, the office of the county treasurer, at the court house, in this place, was entered and robbed of all the money in it, which amounted to over forty thousand dollars. The burglars, in the first place, broke into Mr. Reed's blacksmith shop and helped themselves to all the tools they required. They entered the treasurer's office through a window that was very insecurely fastened. By the side of the door of the vault they removed a few bricks, which enabled them, with the aid of a cold chisel, to reach the bolt and drive it back, thus opening the door. The safe in the vault was purchased during the last year, for sixteen hundred dollars. The burglars broke the knob off the door of the safe, cut into the lock, opened the door, and took the funds. The most that was taken belonged to the school fund of the county. Mr. Dan Smick, of Knoxville, loses over \$1,600, which he had placed there for safety. A portion of the funds was owned by the state.

“The robbery was discovered about 8 o'clock Sunday morning, and caused a great deal of excitement among our citizens all day long, hundreds visiting the court house.

Prompt action was taken to find the robbers. Different persons were sent out to spread the news and place officers of the law on the watch. As it was impossible for the scoundrels to take the benefit of the railroad until yesterday, we trust they may be speedily overhauled, and the stolen funds recovered.

"The board of supervisors was called together yesterday."

The following additional particulars we quote from the same article:—

"The knob was first knocked off, then a portion of the chilled iron under it cut out. Heavy blows were next struck exactly in the right place to loosen the bolts or break the fastenings, so heavy as to break the steel facing of the sledge used. Both of these operations, which we have imperfectly described, had the effect to loosen the bolts. Chisels were then used to pry open the door, which, unfortunately, was accomplished. The burglar, or burglars, seemed to know just what was requisite to do in order to accomplish their object. The one who made the safe could not have gone to work more scientifically, or with a better understanding of what was necessary to be done."

After a more critical examination of the amount taken, the losses of the various funds were found to be as follows:—

School Fund.....	\$20,000 00
State "	3,600 83
County "	2,100 50
Bridge "	3,300 48
Poor House Fund.....	2,276 74
Insane Fund.....	1,193 26

Making a total of.....\$32,471 81

As some circumstances connected with the robbery seemed to indicate the treasurer's connection with it, the board ordered his arrest, employed an attorney for the county, and sent to New York for a detective to examine the safe, and make such discoveries as might lead to the arrest of the robbers.

A preliminary examination of Mr. Cunningham's case came off during this called session of the board; and, as some of the evidence seemed to lead to his conviction, his case was left for the investigation of the grand jury for the March term of the district court.

On the arrival of a detective, the safe was closely examined, and the work upon it was pronounced by him not to have been that of a scientific burglar. It appeared that the strokes of the sledge must have been made after the door of the safe was open, for the bolts were shot out as when locked, and had been rendered quite immovable by the blows that had damaged the combination, so that it could not be shut. Ten thousand dollars were offered as a reward for the arrest of the robbers and the recovery of the money, but no clue to the whereabouts of either could be obtained.

In the meantime, some parties had employed a young man who claimed to have been an army detective, to ferret the matter out. Actuated by a hope of the large reward, he secured the arrest of a man named William D'Armond, who had been a citizen of Knoxville for a short time, and had moved to ——— county soon after the robbery. Mr. D'Armond was brought to Knoxville and then sent to the Oskaloosa jail for a few weeks, to await his trial. The trial was had before Justice Kenedy, in Knoxville, and occupied about two days. M. V. Bennett was for the state, and G. B. Atherton for the defense, by both of whom the case was warmly contested; but the trial resulted in the acquittal of D'Armond.

A bill was found against Mr. Cunningham at the March term, whereupon he took a change of *venue* to Monroe county. Here, however, the state failed to get its witnesses at the time set for trial and the case was discontinued. After this, the board employed attorneys to investigate the matter, and sue on the bonds for whatever amount they supposed they could sustain an action upon. But, after investigating, they came to the conclusion that the evidence against Mr. C. was not sufficient to justify an attempt at prosecution. So the case was finally dismissed.

The great loss sustained by the county in this affair, together with the expenses of employing detectives, attorneys, the purchase of a new safe, &c., proved quite embarrassing for a time. It was at first thought advisable to issue bonds and obtain a loan for the benefit of those funds that were in the most pressing demand, particularly the school and bridge. But this was not done. Warrants were paid on claims on which the county paid interest, and many of these were bought by speculators at a profitable discount. In due time, however, by strict economy, and promptness in the payment of taxes, the finances of the county so far improved as to bring her warrants to par before three years, and the whole machinery is now in as flourishing a condition as it was before the robbery.

CHAPTER XIV.

HISTORY OF THE PRESS IN MARION COUNTY.—PELLA GAZETTE.

—KNOXVILLE JOURNAL.—DEMOCRATIC STANDARD.—PELLA WEEKLY BLADE.—MARION COUNTY REPUBLICAN.—PELLA BLADE.—MARION COUNTY DEMOCRAT.—PELLA GAZETTE.—IOWA VOTER.—COPPERHEAD.

Between the years 1847 and 1855 the population of the county was greatly increased by immigration from all parts of the east and south, and a large majority of those who had established permanent homes within her limits were men and women of intelligence and enterprise, if not of great wealth. Farms were made on every prairie, and almost every grove resounded with the stroke of the ax. Here and there the neat frame dwelling was beginning to take the place of the rude log cabin, and yearly expanding fields of corn and wheat, and numerous orchards of all stages of growth, from the lately planted scion, to the young fruit bearer, all betokened the husbandman's thrift, and promised him ultimate wealth. Villages were laid out in all parts of the county, and many of

the most needed manufactories were established in and about them, with merchandise to exchange for the products of the soil. Saw and grist mills were sufficiently numerous to be comparatively convenient to the inhabitants of all parts of the county; and these were yearly increasing in number and enlarging in capacity, as the increasing demands of the county seemed to require. Even at that early period a railroad and river navigation (one or both) were confidently expected. The Des Moines Valley Road, though yet distant, both in time and space, was talked of as a fixed fact, the arrival of which would be the beginning of a new era in the history of the county, as an avenue of trade and means of speedy correspondence with the east. How completely this hope has been realized within the last few years, the people know better than we can express it. And we must not omit to notice that, from the earliest period of our county history, the important matter of education was not neglected. In the midst of the toils, difficulties, and inconveniences of pioneer life, school districts were organized in every settlement of a sufficient number of children, a claim-pen (if one could be had), used for a school house, or a cabin hastily erected for the purpose, and a teacher selected from among the more capable members of the community. With such houses, such teachers, and such books as the country could afford, schools were maintained till greater conveniences came along with all the other advantages that are the natural result of growth in population and wealth.

But, so late as 1854 and 1855, one of the great levers of commerce and general intelligence was lacking in Marion county. In the midst of all these evidences of advancement the need of a local newspaper must have been felt. This need was, in a measure, supplied by the publication of the *Pella Gazette*, early in 1855.

Early in the autumn of 1854, Edwin H. Grant, a practical printer, came from the east to Pella, and entered into co-partnership with Henry P. Scholte, for the purpose of publishing a weekly newspaper in that town. They immediately set

about making the necessary preparations. A press and type were purchased, a building suitable for a newspaper office erected, and a list of subscribers obtained. At length, after a delay of several months after the enterprise was first announced to the public, the first number of the *Pella Gazette*, the first newspaper printed in the county, appeared under date of February 1, 1855; and it was, just at that time, the most western paper published in Iowa before reaching the Missouri river. The *Des Moines Star*, published at Ft. Des Moines, had suspended operations just previously.

The *Gazette* was a large sheet, seven columns to the page, beautifully printed from new type, of a size rather smaller than is generally used for a country paper. The leading editorial was a lengthy article by Mr. Scholte, consisting mostly of a brief history of the Holland Colony. In an article headed "Defining our Position," Mr. Grant said:—

"It is not our intention to remain silent upon the great political questions of the day. But we wish it to be distinctly understood that we do not intend to give a blind credence to the machinations of any of the parties now dominant. We shall boldly avow our sentiments respecting any of the great movements of the age, regardless of political bias. Whenever we can consistently approve of any acts performed by either party, which seem to us to be calculated to benefit our state, or the great national confederacy, we shall cordially lend our influence to sustain and promote such measures."

In his address "To the Public," in the same issue, the same writer added:—

"The difficulties and expense which have attended us in reaching this position can hardly be appreciated by any one unacquainted with the business, and with the difficulties incident to a new country."

Like most pioneers, the *Gazette* began with a small list of subscribers, and but few of these paid in advance. Evidently, but few persons wished to risk their money in an enterprise of this kind till they could be assured of its success. Notwithstanding this, the paper held its own for several years, grad-

ually increasing its patronage along with its more recent competitors. Mr. Grant continued his connection with the *Gazette* till some time in 1857 or 1858, after which the paper was suspended for some length of time. In the summer or fall of 1859 it was resuscitated by S. M. Hammond, published by him in quarto form, and edited by Mr. Scholte, as a campaign paper. From November till March, 1860, it was published by Hammond & Hammold, when it was finally discontinued, and the subscription list transferred to the *Knoxville Journal*.

On the first of October, 1855, just eight months after the *Gazette* was started, the first number of the *Knoxville Journal* was issued by Wm. M. Stone (since governor of Iowa), as editor and proprietor. The press upon which it was printed was that of the old *Valley Whig*, published at Keokuk.

The *Journal* was published in the interest of the republican party, but devoted much of its space to the interests of Knoxville and the surrounding country. The first few numbers contained some valuable historical matter relating to the county, all of which was, unfortunately, lost* on the night of 4th of March, 1856, when the office was burned. The office was in a frame building that stood on the north side of the public square, nearly opposite where the court house now stands. It and all its contents were entirely destroyed, together with a store adjoining it on the east.

The *Journal* was not renewed till some time during the next fall or winter, when Geo. W. Edwards, once editor of the *Burlington Hawkeye*, came to Knoxville in quest of a location for a paper. Being in possession of a press and type, he and Stone formed a co-partnership and renewed the *Journal*. During the same year Stone sold his interest in the paper to Edwards, who conducted it alone for a short time, till he sold it to John M. Bailey, and he to E. G. Stanfield, in the winter of 1857 and 1858. During Mr. Stanfield's proprietorship of the concern, the *Journal* was, for a time, edited

*It is a matter of regret to the author that he was unable, after extensive advertising and diligent inquiry, to procure one of these old papers.

by L. D. Ingersoll, since well known as an author, and at present editor of the *Chicago Post*. After Ingersoll, it was published by Bigelow & Co.; then, in 1860, by Horner & Han-nold, who changed the name of the paper to *Marion County Republican*, some time during the same year.

The third paper published in the county was the *Democratic Standard*,* first issued in June, 1856, about eight months later than the *Journal*, by Claiborn Hall, editor and proprietor. Mr. Hall, not being a practical printer, and also entirely unacquainted with journalism, soon found it "up-hill" work, and, financially, a "losing game" to publish a frontier country newspaper. So, after a short experience, he disposed of the concern to a company. After this, the *Standard* was edited and published by different individuals suc-cessively, among whom were S. M. Hammond and M. V. B. Bennett, the latter well known as a lawyer and political stumper. It finally suspended operations some time in 1864 or 1865.

*Like the *Journal*, no early numbers of this paper are extant, or, at least, could not be found, and its history must, therefore, be brief.

(To be continued.)

WRITERS FOR THE ANNALS.

The close of the volume affords an opportunity to say a word concerning those whose pens have given it interest. And first, it is with great pleasure that we introduce to the reader Mrs. Nettie Sanford, of Marshalltown, the accomplished authoress and lecturer, the first chapters of whose spirited "History of Marshall County" will attract attention. With the exception of a few pages contributed to the April number of the third volume by Mrs. C. Ben Darwin, Mrs. Sanford's history forms the first contribution to the ANNALS by a lady writer, setting an example which we hope will be followed by other local historians of her sex.

We regret to be obliged to defer the publication of the conclusion of Mr. William M. Donnel's valuable history, "The Pioneers of Marion County," to the next volume. None except those who have engaged in similar work can form any idea of the amount of labor and patience, as well as money, necessarily expended in the fulfillment of such a task as that which Mr. Donnel has nearly completed in the happiest manner. Scores of letters must be written, hundreds of questions asked, dust and cobwebs invaded to reach musty newspapers, documents, and letters, and a thousand unexpected obstacles overcome, in order to secure the information sometimes contained in a single page. Mr. Donnel's sketches are conceded by old settlers to be exceedingly correct, and entirely untarnished by political or personal prejudice, too often the bane of local history. The strongest evidence of the high estimate in which Mr. Donnel's work is held in his own county, where the best judges of its value necessarily chiefly reside, is that its re-publication is demanded, in book form, in which it will appear in a few months. For our own part, we think we do no one any injustice in saying that "The Pioneers of Marion County" are more fortunate in their historian than those of any county whose history has been published in extended form in the ANNALS.

Hon. Eliphalet Price, of Guttenberg, Clayton county, and Hon. Wm. H. Tuthill, of Tipton, Cedar county, are two of the most highly valued of our correspondents. Their short and sparkling sketches act as foils to the more serious and solid chapters of lengthier histories. Their contributions are ever welcome to reader and editor.

The Hon. Hawkins Taylor, a member from Lee county, of the first territorial legislature, but now a resident of Washington City, is doing for us an acceptable work, in raking from the accumulations of a third of a century those pleasant portrayals of character and events which lent a charm and attraction to Lee county thirty years ago.

The "Early History of Iowa," by Hon. Charles Negus, which has been continued through several volumes of the ANNALS, will do much toward lightening the labors of him, who, in the future, shall undertake to elaborate the pioneer annals of our state. It is a matter of wonder to us how the author has managed to collect such a mass of information relating to the

first settlement of Iowa. We consider Mr. Negus's history among the most valuable and appropriate matter that appears in the ANNALS, and we shall be loth to see it come to an end.

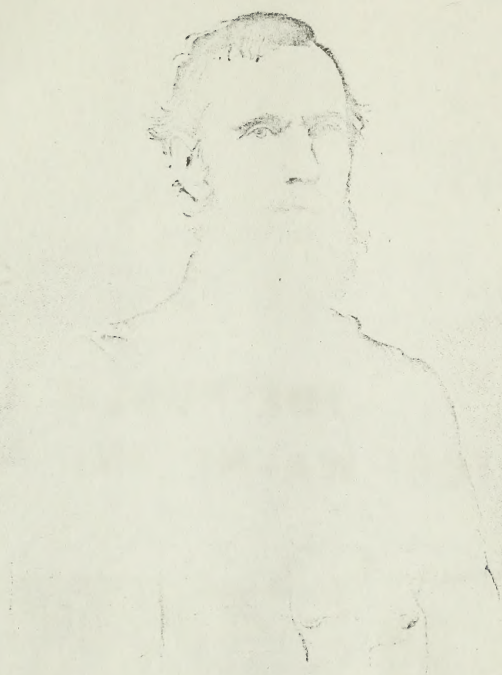
Some portions of the "Recollections of the Early Settlement of Northwestern Iowa," by N. Levering, Esq., formerly of Sioux City, Iowa, but now of Woodville, Mo., particularly those relating to the captivity of white women by the Indians, are of thrilling interest. We hope Mr. Levering will find time to reduce to writing the large stock of facts relative to the northwestern part of Iowa which he has treasured up.

The sketches of Louisa county, by Hon. Wm. L. Toole, have been no less interesting than the others, but would have been more complete and extended had he received the co-operation and assistance of the resident pioneers of his county. We are glad to be able to say that he has promised to continue his contributions.

Some have confounded General Curtis's report of his last campaign in Missouri (which we have now in course of publication) with the history of the same general's "first campaign in Arkansas," written by Captain Samuel Prentis Curtis, and published in volumes 4, 5, 6, and 7. They are entirely distinct; and we hope none will find fault with the publication of this military report, covering, as it does, many of the gallant achievements of Iowa troops, as it will be a sorry day for us when we tire of reading of the heroic exploits of the Union soldiers during the Great Rebellion.

Dr. John Doe, of Iowa City, who is too near home to be spoken of in the flattering terms he deserves for finding time to write a sketch of the *Musquaugas*, will have to settle with Mrs. Sanford as to whether hers or his is the correct way of spelling the name of this Indian tribe. For us, it will be seen that, with our usual chivalry, we have thrown our steel weapon in the scale for the lady.

Several historical papers have been unavoidably crowded over to the next issue.



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